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HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Staff Judge Advocate

Yokohama, Japan

March 16, 1949

UNITED STATES OF AMERICA VS KATSUO ISHIZAWA
UNITED STATES OF AMERICA VS KOICHI OTA
UNITED STATES OF AMERICA VS YASUSHI TAKASAGO
UNITED STATES OF AMERICA VS ZENKICHI KOIWA
UNITED STATES OF AMERICA VS HEIKICHI SATO
UNITED STATES OF AMERICA VS KISHIO SASAKI
UNITED STATES OF AMERICA VS NISA TANIFUJI

Review of the Staff Judge Advocate

1. The attached record of trial of Katsuo Ishizawa, Koichi Ota, Yasushi Takasago, Zenkichi Koiwa, Heikichi Sato, Kishio Sasaki, and Nisa Tanifuji tried at Yokohama, Japan, from 7 January 1948 to 16 February 1948 by a Military Commission appointed by paragraph 2, Special Orders No. 3, Headquarters Eighth Army, United States Army, dated 5 January 1948 as amended by paragraph 21, Special Orders No. 9, Headquarters Eighth Army, United States Army, dated 13 January 1948, as amended by paragraph 2, Special Orders No. 27, Headquarters Eighth Army, United States Army, dated 4 February 1948, as amended by paragraph 1, Special Orders No. 31, Headquarters Eighth Army, United States Army, dated 9 February 1948, having been referred to the Staff Judge Advocate; this review thereof is submitted to the Commanding General.

Personal Data Concerning Accused

NAME: Katsuo Ishizawa	DATE OF CONFINEMENT: 18 November 1945
AGE: 32	DATE OF ARRAIGNMENT: 12 January 1948
RESIDENCE: House #2, Shin-Nakaki-cho, Sendai, Miyagi-ken	PLACE OF TRIAL: Yokohama, Japan
MARITAL STATUS: Single	PERIOD OF TRIAL: 7 January 1948 to 16 February 1948
RELATIVES: Mother, 6 brothers, 2 sisters	DATE OF SENTENCE: 16 February 1948
EDUCATION: 2 years, Tohoku Imperial University (Law)	SENTENCE: CHL for twenty-five (25) years
VOCATION: Student	CLEMENCY RECOMMENDED BY COMMISSION: No
MILITARY CAREER: Entered service 1 October 1942, Lieutenant at end of war	

NAME: Koichi Ota	DATE OF CONFINEMENT: 16 December 1945
AGE: 36	DATE OF ARRAIGNMENT: 12 January 1948
RESIDENCE: Niigata Prefecture, Nakaomurama-gun, Kamizo-mura, Oaza Miyanojara, House #5, 850	PLACE OF TRIAL: Yokohama, Japan
MARITAL STATUS: Married	PERIOD OF TRIAL: 7 January 1948 to 16 February 1948
RELATIVES: Wife, mother, two sisters	DATE OF SENTENCE: 16 February 1948
EDUCATION: High primary school	SENTENCE: CHL one (1) year
VOCATION: Farmer	CLEMENCY RECOMMENDED BY COMMISSION: No
MILITARY CAREER: Entered service in June 1934, Sergeant at end of war.	

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NAME: Yasushi Takasago
AGE: 28
RESIDENCE: Miyagi-ken, Sendai,
Harano-machi, Nigataki, Aza-
Kitaura #32
MARITAL STATUS: Single
RELATIVES: Mother, 2 brothers,
1 sister
EDUCATION: Higher primary school
VOCATION: Railroad worker
MILITARY CAREER: Conscripted 15
December 1941, discharged March
1945
DATE OF CONFINEMENT: 18 November
1945
DATE OF ARRAIGNMENT: 12 January
1948
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 7 January 1948
to 16 February 1948
DATE OF SENTENCE: 16 February 1948
SENTENCE: CHL for twelve (12) years
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Zenkichi Koiwa
AGE: 34
RESIDENCE: Miyagi-ken, Momo-gun,
Yamato-cho, Omagari Doba #94
MARITAL STATUS: Married
RELATIVES: Wife, 2 children, 1
brother, 2 married sisters
EDUCATION: Graduate of Ishinomaki
Commercial School
VOCATION: Farmer
MILITARY CAREER: Conscripted 10
December 1935, Lance Corporal
at the end of war
DATE OF CONFINEMENT: 2 October 1946
DATE OF ARRAIGNMENT: 12 January
1948
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 7 January 1948 to
16 February 1948
DATE OF SENTENCE: 16 February 1948
SENTENCE: CHL for thirteen (13)
years
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Heikichi Sato
AGE: 47
RESIDENCE: NS
MARITAL STATUS: Married
RELATIVES: 3 children
EDUCATION: Elementary School
VOCATION: Coal miner
MILITARY CAREER: 4 years in
Imperial Japanese Army
DATE OF CONFINEMENT: 8 July 1947
DATE OF ARRAIGNMENT: 12 January
1948
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 7 January 1948 to
16 February 1948
DATE OF SENTENCE: 16 February 1948
SENTENCE: CHL for twelve (12) years
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Kishio Sasaki
AGE: 37
RESIDENCE: NS
MARITAL STATUS: Married
RELATIVES: Wife, father, mother,
2 brothers, 3 sisters
EDUCATION: Middle School
VOCATION: Coal Miner
MILITARY CAREER: None
DATE OF CONFINEMENT: 21 November
1947
DATE OF ARRAIGNMENT: 12 January
1948
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 7 January 1948 to
16 February 1948
DATE OF SENTENCE: 16 February 1948
SENTENCE: CHL for twelve (12) years
CLEMENCY RECOMMENDED BY COMMISSION:
No

NAME: Nisa Tanifuji
AGE: 42
RESIDENCE: Miyagi-ken, Kirihara-
gun, Uguishawa-mura, Nago Ara-
machi #48
MARITAL STATUS: Married
RELATIVES: Wife, 4 children, 1
brother, 1 sister
EDUCATION: Primary School
VOCATION: Driller
MILITARY CAREER: Conscripted 12
January 1928, discharged April
1939 as superior private
DATE OF CONFINEMENT: 21 November
1947
DATE OF ARRAIGNMENT: 12 January
1948
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 7 January 1948
to 16 February 1948
DATE OF SENTENCE: 16 February 1948
SENTENCE: CHL for eight (8) years
CLEMENCY RECOMMENDED BY COMMISSION:
No

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2. Synopsis of Charges, Pleas, Findings and Legal Sufficiency:

<u>Charges and Specifications:</u>	<u>Pleas</u>	<u>Findings</u>	<u>Legally Sustained</u>
<u>ISHIZAWA</u>			
Charge: Accused, during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
Sp 1: That between about 14 February 1945 and 15 August 1945, the accused did on various occasions willfully and unlawfully mistreat Houston S. Farris, an American Prisoner of War, by striking, kicking and otherwise abusing him.	NG	G	Yes
Sp 2: That in or about March 1945, the accused did willfully and unlawfully mistreat Herman B. Barger, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 3: That in or about August 1945, the accused, with others, did willfully and unlawfully mistreat Charles F. Brown, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 4: That in or about June 1945, the accused did willfully and unlawfully mistreat Houston S. Farris, Hugh E. Wandel and Leslie F. Zimmerman, American Prisoners of War, and Peter S. Dean and James Forbes Lawrence, British Prisoners of War, by beating and otherwise abusing them.	NG	G	Yes
Sp 5: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat James Forbes Lawrence, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 6: That in or about June 1945, the accused did willfully and unlawfully mistreat Edward A. Padbury, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 7: That in or about March or April 1945, the accused did willfully and unlawfully mistreat William E. Wilson, an American Prisoner of War, and other Allied Prisoners of War, including hospitalized prisoners, by beating and otherwise abusing them.	NG	G	Yes
Sp 8: That in or about April 1945, the accused did willfully and unlawfully mistreat and abuse Albert P. Herrera, an American Prisoner of War, by beating him.	NG	G	Yes

Revised
Sp 9: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Edward D. Wyatt, an American Prisoner of War, by beating him. NG G Yes

Sp 10: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat Nolan L. Williams, an American Prisoner of War, by striking him, knocking him to the ground, and otherwise abusing him. NG G Yes

Sp 11: That between about 28 January 1945 and 15 August 1945, on various occasions, the accused did willfully and unlawfully mistreat numerous American and Allied Prisoners of War, by entering Prisoner of War Barracks during night hours, creating a disturbance, and striking, beating and otherwise abusing said Prisoners of War. NG G Yes

Sp 12: That, between about February 1945 and 15 August 1945, the accused did on various occasions willfully and unlawfully mistreat and abuse Tom S. Chandler, an American Prisoner of War, by striking him. NG G Yes

Sp 13: That in or about March 1945, the accused did willfully and unlawfully mistreat and abuse Adrian Clyde Davidson, an American Prisoner of War, by beating him. NG G Yes

Sp 14: That in or about March 1945, the accused did willfully and unlawfully mistreat John F. Donovan, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 15: That in or about March 1945, the accused did willfully and unlawfully mistreat Donald W. Hange, an American Prisoner of War, by beating, kicking and otherwise abusing him. NG G Yes

Sp 16: That in or about July 1945, the accused did willfully and unlawfully mistreat Donald W. Hange, an American Prisoner of War, by beating, kicking and otherwise abusing him. NG G Yes

Sp 17: That in or about May 1945, the accused did willfully and unlawfully mistreat and abuse Earl William Hettgar, an American Prisoner of War, by beating him. NG G Yes

Sp 18: That in or about May 1945, the accused did willfully and unlawfully mistreat and abuse Leslie F. Zimmerman, an American Prisoner of War, by beating him. NG G Yes

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Sp 19: That in or about July 1945, the accused did willfully and unlawfully mistreat and abuse Leslie F. Zimmerman, an American Prisoner of War by beating and kicking him. NG G Yes

Sp 20: That in or about March 1945, the accused did willfully and unlawfully mistreat Maurice R. Schumaker, an American Prisoner of War, and approximately ten or twelve other Allied Prisoners of War, by beating them, causing them to strike one another, and otherwise abusing them. NG G Yes

Sp 21: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat Sam D. Flora, an American Prisoner of War, and several other Allied Prisoners of War, by beating and otherwise abusing them. NG G Yes

Sp 22: That in or about August 1945, the accused did willfully and unlawfully mistreat and abuse Frank Marshall Byrd, an American Prisoner of War, by beating, kicking and otherwise abusing him, and causing him to be beaten by others and confined to the guardhouse on reduced rations. NG G Yes

Sp 23: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse John R. Breeze, an American Prisoner of War, by beating them. NG G Yes

Sp 24: That between about 28 January 1945 and 15 August 1945, the accused did, on various occasions, willfully and unlawfully mistreat numerous Allied Prisoners of War, by striking and beating them, confining them under improper conditions, causing them to be beaten by others, and otherwise abusing them. NG G Yes

Sp 25: That between about 28 January 1945 and 21 August 1945, the accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp by failing to provide numerous Allied Prisoners of War with adequate and proper food, clothing, fuel, medicine, medical supplies, medical treatment, hospitalization and sanitation, thereby contributing to the suffering, sickness and death of said Prisoners of War. NG G Yes
except the words
"fuel" and "sanitation".
Of the excepted words,
NG.

Sp 26: That between about 28 January 1945 and 15 August 1945, the accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp to provide for the NG NG

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safety and welfare of numerous Allied Prisoners of War by forcing them to work under unhealthful and dangerous working conditions, thereby contributing to the suffering, sickness and death of numerous Allied Prisoners of War.

Sp 27: That between about 28 January 1945 and 15 August 1945, the accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp to provide for the safety and welfare of Allied Prisoners of War by forcing them to work when physically unfit, thereby contributing to the suffering, sickness and death of numerous Allied Prisoners of War.	NG	G	Yes, in part
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Sp 28: That between about 28 January 1945 and about 20 August 1945, the accused did willfully and unlawfully fail to issue, withhold, misappropriate and convert Red Cross relief supplies, including food, clothing and medical supplies, intended for the use and benefit of Allied Prisoners of War.	NG	G	Yes
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Sp 29: That between about 28 January 1945 and about 15 September 1945, the accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp to protect Allied Prisoners of War confined at said camp from acts of violence, mistreatment and abuse and other atrocities, and to control and restrain members of his command, civilian employees of the Japanese Army, and other persons, including officials and employees of companies employing said Allied Prisoners of War labor, by permitting them to commit such acts of violence, mistreatment and abuse and other atrocities against said Allied Prisoners of War as follows:	NG	G	Yes
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a. Between about 16 February 1945 and 27 May 1945, the unlawful failure and neglect by Tetsuo Kobayashi, Japanese medical officer at said camp, to furnish adequate medical treatment and timely operative surgery to Wilbur Cox, an American Prisoner of War, thereby resulting in a physical condition which ultimately necessitated the amputation of his foot.	NG	G	Yes
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b. Between 28 January 1945 and 26 March 1945, the unlawful failure and neglect by Tetsuo Kobayashi, Japanese medical officer of said Camp, to furnish adequate medical treatment to William G. Allen, an American Prisoner of War, thereby contributing to his death.	NG	G	Yes
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c. Between 28 January 1945 and 15 August 1945, the unlawful failure and neglect by Tetsuo Kobayashi, Japanese medical officer at said Camp, to provide numerous Allied Prisoners of War with adequate medical treatment, thereby contributing to the suffering and sickness of numerous Allied Prisoners of War. NG G Yes

d. Between about 28 January 1945 and 15 August 1945, the unlawful failure by Tetsuo Kobayashi to discharge his duty as Japanese medical officer of said Camp by forcing or permitting numerous Allied Prisoners of War to perform arduous labor when physically unfit to perform such labor, thereby contributing to the suffering and sickness of numerous Allied Prisoners of War. NG G Yes

e. Between about 28 January 1945 and about 10 July 1945, the unlawful misappropriation and conversion to his own use by Tetsuo Kobayashi of Red Cross supplies intended for the use and benefit of Allied Prisoners of War. NG G Yes

f. In or about May or June 1945, the unlawful mistreatment by Tetsuo Kobayashi of Alexander Nalezinski and Milos R. Cain, American Prisoners of War, and other Allied Prisoners of War, by forcing said Prisoners to strike each other. NG G Yes

g. On or about 4 July 1945, the unlawful treatment by Tetsuo Kobayashi of Glenn L. Chalfant, an American Prisoner of War, by striking and otherwise abusing him. NG G Yes

h. In or about July 1945, the unlawful mistreatment by Tetsuo Kobayashi of Herschel E. Hendrickson, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

i. In or about May 1945, the unlawful mistreatment by Tetsuo Kobayashi of Miles R. Cain, an American Prisoner of War, and other Allied Prisoners of War, by striking and otherwise abusing them. NG G Yes

j. Between 28 January 1945 and about 10 July 1945, the unlawful mistreatment by Tetsuo Kobayashi of numerous Allied Prisoners of War on various occasions by striking, beating, kicking and otherwise abusing them. NG G Yes

k. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of Joseph L. Boudolf, Walter E. Portis and Emiel Meier, American Prisoners of War, by beating them. NG G Yes

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l. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of William E. Fox, an American Prisoner of War, by beating him into unconsciousness with a club.	NG	G	Yes
m. In or about July 1945, the unlawful mistreatment by Yasushi Takasago of Gerald Lee Anderson, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
n. In or about June 1945, the unlawful mistreatment by Yasushi Takasago, Koichi Ota, Zenkichi Koiwa, and others of Edward A. Padbury, an American Prisoner of War, by beating and otherwise abusing him, thereby causing him to sustain a broken nose and the loss of a tooth.	NG	G	Yes
o. In or about August 1945, the unlawful mistreatment by Yasushi Takasago of James Newell, Jr., an American Prisoner of War, by beating him.	NG	G	Yes
p. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of Henry T. Chamberlain, an American Prisoner of War, by beating him.	NG	G	Yes
q. In or about July 1945, the unlawful mistreatment by Yasushi Takasago of George Fox, Jr., an American Prisoner of War, by beating him.	NG	G	Yes
r. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of Nolan L. Williams, an American Prisoner of War, by beating him.	NG	G	Yes
s. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of Stanford A. Bond, an American Prisoner of War, by beating him.	NG	G	Yes
t. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of Glen L. Chalfant, an American Prisoner of War, by beating him.	NG	G	Yes
u. In or about July 1945, the unlawful mistreatment by Yasushi Takasago of John M. Cheek, an American Prisoner of War, by beating him.	NG	G	Yes
v. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of Earl M. Conover, an American Prisoner of War, by beating him.	NG	G	Yes

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w. In or about July 1945, the unlawful mistreatment by Yasushi Takasago of Clifford F. Hommey, an American Prisoner of War, by beating and otherwise abusing him, as a result of which he sustained the loss of two teeth.	NG	G	Yes
x. In or about July 1945, the unlawful mistreatment by Yasushi Takasago of Henry T. McCaulla and another American Prisoner of War, by beating and otherwise abusing them.	NG	G	Yes
y. In or about July 1945, the unlawful mistreatment by Yasushi Takasago of James Mowatt, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
z. Between about 1 March 1945 and 15 August 1945, the unlawful mistreatment by Yasushi Takasago of numerous Allied Prisoners of War by beating them, requiring them to kneel for periods of time, requiring them to hold buckets of water at arms' length and otherwise abusing them.	NG	G	Yes
aa. Between 28 January 1945 and 15 August 1945, the unlawful mistreatment by Koichi Ota of Allied Prisoners of War on various occasions by striking, beating and otherwise abusing them.	NG	NG	---
bb. Between 28 January 1945 and 15 August 1945, the unlawful misappropriation and conversion by Koichi Ota of Red Cross supplies intended for the use and benefit of Allied Prisoners of War.	NG	G	Yes
cc. Between 28 January 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koiwa, on various occasions, of James Forbes Lawrence, a British Prisoner of War, by beating and otherwise abusing him, resulting in the loss of several teeth by said Prisoner.	NG	G	Yes
dd. In or about June 1945, the unlawful mistreatment by Zenkichi Koiwa of Houston S. Farris, Hugh E. Wandel, and Leslie F. Zimmerman, American Prisoners of War, and Peter S. Dean and James Forbes Lawrence, British Prisoners of War, by beating and otherwise abusing them.	NG	G	Yes
ee. In or about February or March 1945, the unlawful mistreatment by Zenkichi Koiwa of Walter E. Portis, an American Prisoner of War, by beating him.	NG	G	Yes
ff. In or about February or March 1945, the unlawful mistreatment by Zenkichi Koiwa of Albert P. Herrera, an American Prisoner of War, by	NG	G	Yes

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kicking and beating him and by causing him to be further beaten by a guard.

gg. In or about the Summer of 1945, the unlawful mistreatment by Zenkichi Koiwa of Joseph R. Gagnon, an American Prisoner of War, by beating him and by causing him to be further beaten by a guard.

NG

NG

hh. In or about March 1945, the unlawful mistreatment by Zenkichi Koiwa of Sam Flora and William Middleton, American Prisoners of War, and other Allied Prisoners of War, by causing them to stand for an extended period of time exposed to cold weather, beating them and causing them to be beaten by others, and otherwise abusing them.

NG

G, Yes
except the words "and causing them to be beaten by others". Of the excepted words NG.

ii. Between about 14 February 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koiwa of Roy H. Brantley, an American Prisoner of War, by beating him.

NG

NG

jj. Between about 14 February 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koiwa of Carlisle Choate, an American Prisoner of War, and other Allied Prisoners of War, by causing them to be beaten by guards.

NG

G

Yes

kk. In or about March 1945, the unlawful mistreatment by Zenkichi Koiwa of John H. Eatherington, an American Prisoner of War, by beating, kicking and otherwise abusing him.

NG

G

Yes

ll. Between 28 January 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koiwa of George J. Medwick, an American Prisoner of War, by beating him.

NG

G

Yes

mm. Between about 28 January 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koiwa of William J. Middleton, an American Prisoner of War, by beating and kicking him.

NG

G

Yes

nn. In or about July or August 1945, the unlawful mistreatment by Zenkichi Koiwa of Isaac G. Hylton and James R. Maggard, American Prisoners of War, by beating them and causing them to be beaten by others, forcing them to stand for an extended period of time and otherwise abusing them.

NG

G

Yes

oo. In or about July 1945, the unlawful mistreatment by Zenkichi Koiwa of Orran Crandall, an American Prisoner of War, by beating and otherwise abusing him.

NG

G

Yes

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Interd

pp. Between about 28 January 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koike of numerous Allied Prisoners of War, on numerous occasions, by sending them to work while sick, weak and physically unfit.	NG	G	Yes
qq. Between 28 January 1945 and 15 August 1945, the unlawful mistreatment by Zenkichi Koike of numerous Allied Prisoners of War, on various occasions, by striking, beating and otherwise abusing them.	NG	G	Yes
rr. On or about 15 August 1945, the unlawful mistreatment by one Takeyama of James Newell, Jr., an American Prisoner of War, by beating him.	NG	G	Yes
ss. In or about July 1945, the unlawful mistreatment by a guard known as "The Beast" of Edward L. Smack, an American Prisoner of War, by beating him with a club, gashing his leg, and otherwise abusing him.	NG	G	Yes
tt. Between 28 January 1945 and 15 August 1945, on various occasions, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Roland E. Nelson, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
uu. Between 28 January 1945 and 15 August 1945, on various occasions, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Louis B. Read, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
vv. In or about August 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Seymour Hoffenberg, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
ww. In or about March 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of John R. Boswell, an American Prisoner of War, by striking and otherwise abusing him.	NG	G	Yes
xx. In or about March 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Wilbur G. Cox, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
yy. Between about 14 February 1945 and 15 August 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Adrian Clyde Davidson, an American Prisoner of War, by striking and otherwise abusing him.	NG	G	Yes

zz. In or about July 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of John H. Batherington, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
aaa. In or about March 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Samuel Houston Gribble, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
bbb. In or about May 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Amador B. Lovato, an American Prisoner of War, by beating him.	NG	G	Yes
ccc. On various occasions between about 14 February 1945 and 15 August 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Louis N. Curtis, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
ddd. In or about June 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Frank Perry, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
eee. In or about June 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of John M. Samarrappa, an American Prisoner of War, and other Allied Prisoners of War, by beating and otherwise abusing him.	NG	G	Yes
fff. In or about July 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Donald C. Wight, an American Prisoner of War, and other Allied Prisoners of War, by beating and otherwise abusing them.	NG	G	Yes
ggg. In or about July 1945, the unlawful mistreatment by Heikichi Sato, known as "Joe Louis", of Andres G. Ramos and another American Prisoner of War by beating and otherwise abusing them.	NG	G	Yes
hhh. Between 28 January 1945 and 15 August 1945, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Frank Perry, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
iii. Between 28 January 1945 and 15 August 1945, on several occasions, the unlawful mistreatment by one "Snake" or "The Weasel" of John W. Joyce, an American Prisoner of War, by beating him.	NG	G	Yes

jjj: Between about February 1945 and 15 August 1945, on various occasions, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Ernest J. Bales, an American Prisoner of War, by striking him.	NG	G	Yes
kkk: Between about 14 February 1945 and about 15 April 1945, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Wilbur G. Cox, an American Prisoner of War by beating and otherwise abusing him.	NG	G	Yes
lll: In or about May 1945, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Clair L. Case, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
mmm: Between about February 1945 and 15 August 1945, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Frank D. Chambers, an American Prisoner of War, by beating him.	NG	G	Yes
nnn: Between about February 1945 and 15 August 1945, on various occasions, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Sam D. Flora, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
ooo: Between about February 1945 and 15 August 1945, on various occasions, the unlawful mistreatment by one known as "Snake" or "The Weasel" of John Charles Fosker, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
ppp: Between about June 1945 and 15 August 1945, on various occasions, the unlawful mistreatment by one known as "Snake" or "The Weasel" of Arthur O. Maki, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
qqq: In or about July 1945, the unlawful mistreatment by one "Tomahuchi" of George Fox, Jr., an American Prisoner of War, and other Allied Prisoners of War, by beating them.	NG	G	Yes
rrr: In or about August 1945, the unlawful mistreatment by one "Tomahuchi" of George Fox, Jr., an American Prisoner of War, and another unidentified Allied Prisoner of War by repeatedly striking them.	NG	G	Yes
sss: In or about April 1945, the unlawful mistreatment by one "Tom" of John E. Samarippa, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes

ttt: Between about February 1945 and 15 August 1945, the unlawful mistreatment by one "Tom" of Roy Herman Brantley, an American Prisoner of War, by striking and otherwise abusing him. NG G Yes

uuu: In or about August 1945, the unlawful mistreatment by one "Tom" of Gerald Lee Anderson, an American Prisoner of War, by beating him. NG G Yes

vvv: Between about February 1945 and 15 August 1945, the unlawful mistreatment by one "Tom" of Carlisle Choate, an American Prisoner of War, by striking and otherwise abusing him. NG G Yes

www: In or about March 1945, the unlawful mistreatment and abuse by Tanifuji of James L. Haynes, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

xxx: In or about March 1945, the unlawful mistreatment by "The Boss" of John M. Samarrippa, an American Prisoner of War by beating and otherwise abusing him. NG G Yes

yvv: Between about 28 January 1945 and about 12 August 1945, on various occasions, the unlawful mistreatment of Orran E. Crandall, an American Prisoner of War, by beating him, confining him without proper clothing and bedding, and otherwise abusing him. NG G Yes

zzz: In or about July or August 1945, the unlawful mistreatment by Japanese guards of James R. Maggard, an American Prisoner of War, by beating him repeatedly and by forcing him to stand at attention for extended periods of time. NG G Yes

aaa: Between 28 January 1945 and 15 August 1945, on several occasions, the unlawful mistreatment of Roland E. Nelson, an American Prisoner of War, by beating him. NG G Yes

bbb: In or about July 1945, the unlawful mistreatment of Robert A. Clement, an American Prisoner of War, by beating him with a club, kicking him, and using "judo" upon him. NG G Yes

ccc: In or about February 1945, the unlawful mistreatment and abuse by one "Long Tom" of Franklin D. Aldridge and Marshall A. Barthiaume, American Prisoners of War, by beating them with his rifle. NG G Yes

ddd: Between 28 January 1945 and 15 August 1945, on various occasions, the unlawful appropriation and conversion of Japanese camp personnel of Red NG G, Yes except the words "or belonging to". Of the excepted words NG.

Cross and other property and supplies intended for the use and benefit of, or belonging to, Allied Prisoners of War.

eeee: Between 28 January 1945 and 15 September 1945, on numerous occasions, the unlawful mistreatment by Japanese personnel of numerous Allied Prisoners of War by striking and beating them, by requiring them to stand at attention holding objects at arm's length, by exposing them to cold weather, by requiring sick prisoners to work and by otherwise abusing them.

NG

G

Yes

OTA

Charge: Accused during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

G

Yes

Sp 1: That in or about June 1945, accused did willfully and unlawfully mistreat and abuse Edward A. Padbury, an American Prisoner of War, by beating him, as a result of which he sustained a broken nose and the loss of a tooth.

NG

G

Yes

Sp 2: That in or about August 1945, the accused did willfully and unlawfully mistreat Frank D. Chambers, an American Prisoner of War, by striking and otherwise abusing him.

NG

NG

Sp 3: That between 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully misappropriate and convert Red Cross supplies intended for the use and benefit of Allied Prisoners of War.

NG

G

Yes

Sp 4: That between 28 January 1945 and 15 August 1945, the accused did, on various occasions, willfully and unlawfully mistreat numerous Allied Prisoners of War by beating and otherwise abusing them.

NG

NG

TAKASAGO

Charge: Accused, during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.

NG

G

Yes

Sp 1: That between about 1 March and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Joseph L. Boudolf, Walter E. Portis and Emil Meier, American Prisoners of War, by beating them.

NG

G

Yes

Restricted

Sp 2: That between about 1 March 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse William E. Fox, an American Prisoner of War, by beating him into unconsciousness with a club.	NG	G	Yes
Sp 3: That in or about July 1945, accused did willfully and unlawfully mistreat Gerald Lee Anderson, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 4: That in or about June 1945, the accused did willfully and unlawfully mistreat Edward A. Padbury, an American Prisoner of War, by beating and otherwise abusing him, as a result of which he sustained a broken nose and the loss of a tooth.	NG	G	Yes
Sp 5: That in or about August 1945, the accused did willfully and unlawfully mistreat and abuse James Newell, Jr., an American Prisoner of War, by beating him.	NG	G	Yes
Sp 6: That between about 1 March 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Henry T. Chamberlain, an American Prisoner of War, by beating him.	NG	G	Yes
Sp 7: That in or about July 1945, the accused did willfully and unlawfully mistreat and abuse George Fox, Jr., an American Prisoner of War, by beating him.	NG	G	Yes
Sp 8: That between about 1 March 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Nolan L. Williams, an American Prisoner of War, by beating him.	NG	G	Yes
Sp 9: That between about 1 March 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat Stanford A. Bond, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 10: That between about 1 March 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Glen L. Chalfant, an American Prisoner of War, by beating him.	NG	G	Yes
Sp 11: That in or about July 1945, the accused did willfully and unlawfully mistreat and abuse John W. Cheek, an American Prisoner of War, by beating him.	NG	G	Yes

Indicted

Sp 12: That between about 1 March 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Earl M. Conover, an American Prisoner of War, by beating him. NG G Yes

Sp 13: That in or about July 1945, the accused did willfully and unlawfully mistreat Clifford F. Hommey, an American Prisoner of War, by beating and otherwise abusing him, as a result of which he sustained the loss of two teeth. NG G Yes

Sp 14: That in or about July 1945, the accused did willfully and unlawfully mistreat Henry F. McCaulla and another unidentified American Prisoner of War by beating and otherwise abusing them. NG G Yes

Sp 15: That in or about July 1945, the accused did willfully and unlawfully mistreat James Mowatt, a British Prisoner of War, by beating him, requiring him to hold a container of water for an extended period of time, and otherwise abusing him. NG G Yes

Sp 16: That between about 1 March 1945 and 15 August 1945, the accused did, on various occasions, willfully and unlawfully mistreat numerous Allied Prisoners of War by striking and beating them, requiring them to assume painful postures, to hold buckets of water at arms' length for long periods of time, and otherwise abusing them. NG G Yes

KOIWA

Charge: Accused, during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War. NG G Yes

Sp 1: That between 28 January 1945 and 15 August 1945, the accused did on various occasions willfully and unlawfully mistreat and abuse James Forbes Lawrence, a British Prisoner of War, by beating him, thereby resulting in the loss of several teeth by said Prisoner. NG G Yes

Sp 2: That in or about June 1945, the accused did willfully and unlawfully mistreat Houston S. Farris, Hugh E. Wandel and Leslie F. Zimmerman, American Prisoners of War, and Peter S. Dean and James Forbes Lawrence, British Prisoners of War, by beating and otherwise abusing them. NG G Yes

Sp 3: That in or about June 1945, the accused, with others, did willfully and unlawfully mistreat and abuse Edward A. Padbury, an American Prisoner of War, by beating him, as a result of which he sustained a broken nose and the loss of a tooth.	NG	G	Yes
Sp 4: That in or about February or March 1945, the accused did willfully and unlawfully mistreat and abuse Walter E. Portis, an American Prisoner of War, by beating him.	NG	G	Yes
Sp 5: That in or about February or March 1945, the accused did willfully and unlawfully mistreat and abuse Albert P. Herrera, an American Prisoner of War, by kicking and beating him and by causing him to be further beaten by a guard.	NG	G	Yes
Sp 6: That in or about the Summer of 1945, the accused did willfully and unlawfully mistreat and abuse Joseph R. Gagnon, an American Prisoner of War, by beating him and by causing him to be further beaten by a guard.	NG	NG	---
Sp 7: That in or about March 1945, the accused did willfully and unlawfully mistreat Sam Flora and William Middleton, American Prisoners of War and other Allied Prisoners of War by causing them to stand for an extended period of time exposed to cold weather, beating them and causing them to be beaten by others, and otherwise abusing them.	NG	G,	Yes except the words "and causing them to be beaten by others". Of the excepted words, NG.
Sp 8: That between about 14 February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Roy H. Brantley, an American Prisoner of War, by beating him.	NG	NG	---
Sp 9: That between about 14 February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat and abuse Carlisle Choate, an American Prisoner of War, and other Allied Prisoners of War by causing them to be beaten by guards.	NG	G	Yes
Sp 10: That in or about March 1945, the accused did willfully and unlawfully mistreat John H. Eatherington, an American Prisoner of War, by beating, kicking and otherwise abusing him.	NG	G	Yes
Sp 11: That between about 28 January 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat and abuse George J. Medwick, an American Prisoner of War, by beating him.	NG	G	Yes

Sp 12: That between about 28 January 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat and abuse William J. Middleton, an American Prisoner of War, by beating and kicking him.	NG	G	Yes
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Sp 13: That in or about July or August 1945, the accused did, with others, willfully and unlawfully mistreat Isaac G. Hylton and James R. Maggard, American Prisoners of War, by beating them and causing them to be beaten by others, forcing them to stand for an extended period of time and otherwise abusing them.	NG	G	Yes
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Sp 14: That in or about July 1945, the accused did willfully and unlawfully mistreat Orran Crandall, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 15: That on numerous occasions between 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat and abuse numerous Allied Prisoners of War by requiring them to work while they were sick, weak and physically unfit to so work.	NG	G	Yes
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Sp 16: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully withhold, misappropriate and convert Red Cross supplies intended for the use and benefit of Allied Prisoners of War.	NG	G	Yes
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Sp 17: That between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully misappropriate and convert personal property of various Allied Prisoners of War.	NG	NG	---
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Sp 18: That on various occasions between about 28 January 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat numerous Allied Prisoners of War, other than as hereinabove stated, by beating them, causing them to be beaten by others, requiring them to stand at attention for extended periods of time and otherwise abusing them.	NG	G,	Yes except the words "causing them to be beaten by others, requiring them to stand at attention for extended periods of time." Of the excepted words, NG.
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SATO

Charge: Accused, during a time of war between the United States of America, its Allies and Dependencies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
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Sp 1: That between about 28 January 1945 and 15 August 1945, the accused did on various occasions willfully and unlawfully mistreat Roland E. Nelson, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 2: That between about 28 January 1945 and 15 August 1945, the accused did on various occasions willfully and unlawfully mistreat Louis B. Read, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 3: That in or about August 1945, the accused did willfully and unlawfully mistreat Seymour Hofferberg, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 4: That in or about March 1945, the accused did willfully and unlawfully mistreat John R. Bogwell, an American Prisoner of War, by striking, kicking and otherwise abusing him.	NG	G	Yes
Sp 5: That in or about March 1945, the accused did willfully and unlawfully mistreat and abuse Wilber G. Cox, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 6: That between about 14 February 1945 and 15 August 1945, the accused did willfully and unlawfully mistreat Adrian Clyde Davidson, an American Prisoner of War, by striking and otherwise abusing him.	NG	G	Yes
Sp 7: That in or about July 1945, the accused did willfully and unlawfully mistreat John H. Eatherington, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 8: That in or about March 1945, the accused did willfully and unlawfully mistreat Samuel Houston Gribble, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 9: That in or about May 1945, the accused did willfully and unlawfully mistreat and abuse Amador B. Lovato, an American Prisoner of War, by beating him.	NG	G	Yes
Sp 10: That in or about April 1945, the accused did on two occasions willfully and unlawfully mistreat Louis N. Curtis, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 11: That in or about June 1945, the accused did willfully and unlawfully mistreat Frank Perry, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 12: That in or about June 1945, the accused did willfully and unlawfully mistreat John M. Samarrippa, an American Prisoner of War, and other Allied Prisoners of War, by beating and otherwise abusing them.	NG	G	Yes

Sp 13: That in or about July 1945, the accused did willfully and unlawfully mistreat Donald C. Wight, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 14: That in or about July 1945, the accused did willfully and unlawfully mistreat Andres G. Ramos and another American Prisoner of War, by beating and otherwise abusing them. NG G Yes

Sp 15: That in or about April 1945, the accused did on various occasions willfully and unlawfully mistreat William Osgood, an American Prisoner of War, by beating and otherwise abusing him. NG 4 Yes

Sp 16: That between about 28 January 1945 and about 15 August 1945, the accused did on numerous occasions willfully and unlawfully mistreat various Allied Prisoners of War other than as hereinabove specified by striking, beating and otherwise abusing them. NG G Yes

SASAKI

Charge: Accused, during a time of war between the United States of America, its Allies and Dependents, and Japan, did violate the Laws and Customs of War. NG G Yes

Sp 1: That between about 28 January 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Frank Perry, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 2: That between about 28 January 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat John W. Joyce, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 3: That between about February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Ernest J. Bales, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 4: That between about 15 February 1945 and about 15 April 1945, the accused did willfully and unlawfully mistreat Wilbur G. Cox, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 5: That in or about May 1945, the accused did willfully and unlawfully mistreat Clair L. Case, an American Prisoner of War, by beating and otherwise abusing him. NG G Yes

Sp 6: That between February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Frank D. Chambers, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 7: That between about February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Sam D. Flora, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 8: That between about February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat John Charles Fosker, a British Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 9: That between about June 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Arthur O. Maki, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 10: That between about January 1945 and about 15 August 1945, on numerous occasions, the accused did willfully and unlawfully mistreat numerous Allied Prisoners of War, by striking, beating and otherwise abusing them.	NG	G	Yes
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TANIEUJI

Charge: Accused, during a time of war between the United States of America, its Allies and Dependancies, and Japan, did violate the Laws and Customs of War.	NG	G	Yes
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Sp 1: That in or about July 1945, the accused did willfully and unlawfully mistreat George Fox, Jr., an American Prisoner of War, and other Allied Prisoners of War, by beating and otherwise abusing them.	NG	G	Yes
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Sp 2: That in or about August 1945, the accused did willfully and unlawfully mistreat George Fox, Jr., an American Prisoner of War, and another unidentified Allied Prisoner of War, by beating and otherwise abusing them.	NG	G	Yes
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Sp 3: That in or about April 1945, the accused did willfully and unlawfully mistreat John M. Samarippa, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
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Sp 4: That between about February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Roy Herman Brantley, an American Prisoner of War, by striking and otherwise abusing him.	NG	G	Yes
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Sp 5: That in or about August 1945, the accused did willfully and unlawfully mistreat Gerald Lee Anderson, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 6: That between about February 1945 and about 15 August 1945, the accused did willfully and unlawfully mistreat Carlisle Choate, an American Prisoner of War, by beating and otherwise abusing him.	MG	G	Yes
Sp 7: That in or about May 1945, the accused did willfully and unlawfully mistreat James L. Haynes, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 8: That in or about the summer of 1945, the accused did willfully and unlawfully mistreat Seymour Hoffenberg, an American Prisoner of War, by beating and otherwise abusing him.	NG	G	Yes
Sp 9: That between about January 1945 and 15 August 1945, on numerous occasions, the accused did willfully and unlawfully mistreat numerous Allied Prisoners of War, by striking, beating and otherwise abusing them.	NG	G	Yes

3. Summary of the Evidence:

a. For the Prosecution

As to Specification 1 (Ishizawa): While Major Houston S. Farris was confined in the hospital with amoebic dysentery, he was kicked on the shins by the accused. On another occasion, after the theft of some food by a POW, Farris was one in a group of five officers slapped by Ishizawa. This lasted about ten minutes each. Because the barracks of the POWs were untidy, Farris was slapped several times on the face by Ishizawa. When Major Farris didn't salute Ishizawa fast enough, Ishizawa beat him with a stick. As a result of this beating, Farris was hospitalized for three weeks. Houston S. Farris, presently a Lieutenant Colonel, United States Army, states that he was slapped in the face by Ishizawa when he (Farris) requested that Red Cross boxes be issued to the prisoners of war. Farris made this request two or three times a week, and on each occasion he was slapped and kicked in the shins by Ishizawa. When Farris complained about Ishizawa's placing Red Cross blankets with Japanese blankets to make up a shortage, during an inspection, he was again slapped in the face by Ishizawa (Ex 1, 2, 5, 10, 22, 43, 51, 79).

As to Specification 2 (Ishizawa): While returning to camp from work, Barger, a Navy Man, was struck by Ishizawa. As a result Barger's toes were bruised. The victim in his affidavit states that he was beaten by Ishizawa with a bamboo stick one and one-half inch in diameter about two feet long. He was beaten about the feet, head and shoulders. His feet and toes were badly bruised and later became dark-colored as a result. On another occasion Ishizawa beat Barger with his fists which caused Barger's face and hands to become swollen (Ex 1, 9, 36, 42).

As to Specification 3 (Ishizawa): Charles F. Brown, the victim, a civilian, was slapped by Ishizawa. He was employed by the United States Army, Quartermaster Corps, as a pay clerk at the time of his capture. The victim in his affidavit states he was "badly slapped and knocked around" by Ishizawa. Captain Peter Stanley Walter Dean, a British Prisoner of War, states Brown was in a "bad state after the vicious onslaught by Lt Ishizawa". (Ex 1, 17, 43, 51).

As to Specification 4 (Ishizawa): These officers were slapped by Ishizawa because a food theft had occurred. The prisoner of war was caught and punished by the prisoner officers. Each officer was slapped twice. Farris, one of the victims, states that on this occasion Ishizawa beat each POW officer on the face for about ten minutes, with his fists. Zimmerman states that he "suffered from a bad jaw for several months as a result of this beating". Koiwa, the camp interpreter, then repeated the performance of Ishizawa, by slapping each officer with his hand (Ex 1, 43, 51, 59, 60, 66, 78, 116, 117, 124).

As to Specification 5 (Ishizawa): Lt Lawrence, British Army, was in a group of five officers struck by Ishizawa, when a prisoner of war was caught stealing food. Ishizawa also kicked him with his spurs. John F. Donovan states he saw Ishizawa strike "an English company grade officer several times with the flat side of his sword". Lawrence states that he was beaten twice by Ishizawa as a result of which he lost several teeth. (Ex 43, 47, 73, 79, 60).

As to Specification 6 (Ishizawa): Colonel Robert C. Gaskill, United States Army, Marine Corps, states that in about June 1945 he examined Sgt. Edward Padbury, the alleged victim in this specification. Padbury had a broken nose, a broken tooth and minor cuts and bruises on the face. Padbury told affiant he had been beaten by Ishizawa and Sgt Ota. The victim in his affidavit states that as a section leader he complained to Ishizawa about small amount of food prisoners of war were receiving. For this Ishizawa struck him with his fist in the area of his right temple (Ex 1, 95.)

As to Specification 7 (Ishizawa): During the first part of March, when the weather was very cold, Ishizawa came to the hospital in an intoxicated condition. He knocked Capt Wilson on the head a few times with a broom. Ishizawa "flailed out with the broom in all directions and inevitably hit a number of the patients". Wilson was struck in the face several times. Ishizawa pulled two patients out of bed and beat them with the butt end of a broom until they fell over their beds. William Wilson, the victim, states he was beaten by Ishizawa in the hospital. Ishizawa would then beat some patients and then come back and beat him some more. This lasted for about forty-five minutes (Ex 1, 2, 7, 42, 43, 64, 67, 101, 104, 120).

As to Specification 8 (Ishizawa): The victim, Albert P. Herrera, describes in his affidavit how he received a beating at the hands of Ishizawa, for not saluting him (Ishizawa) quickly enough. This beating lasted for approximately ten minutes. (Ex 66, 101).

As to Specification 9 (Ishizawa): Edward D. Wyatt, the victim, states that he, with others, was beaten by the camp commander because he had dirtied his clothes in the mines and because his hands were dirty. On one occasion, when Wyatt went to him for medical treatment for a mashed finger, he (Ishizawa) gave him a beating and no medical treatment (Ex 123).

As to Specification 10 (Ishizawa): When the alleged victim, Nolan L. Williams, made a mistake counting off in formation, Ishizawa slapped him with sufficient force to knock him to the ground (Ex 119).

As to Specification 11 (Ishizawa): The accused occasionally inspected the barracks while the prisoners of war were asleep. Finding anything misplaced he would arouse all of the prisoners of war and force them to stand at attention while he "ranted and raved". On other occasions, when prisoners of war had not correctly placed their shoes, he would awaken them and then slap them. At 1:00 a.m. one morning he entered the barracks, kicked over tables, upset beds, and struck Prisoner of War Farris about the head and face. He appeared drunk. After ordering Prisoner of War Lawrence to stand at attention, he "brutally knocked him down several times with his fists". If a prisoner of war did not stand at attention properly when Ishizawa came through the barracks at night, he (Ishizawa) would beat him on the face. One night in July 1945, after a particularly heavy bombing of Tokyo by the Americans, Ishizawa went through the three barracks with a club hitting everyone within reach. He was drunk. This late visitation in the barracks occurred two or three times a week (Ex 8, 11, 19, 28, 29, 34, 38, 57, 61, 64, 76, 81, 92, 102, 110, 118, 124).

As to Specification 12 (Ishizawa): The alleged victim, Tom S. Chandler, states that he "was slapped several times by Ishizawa because of inability to hear his orders". Chandler was partly deaf (Ex 27).

As to Specification 13 (Ishizawa): Adrian Clyde Davidson, the alleged victim, states that he was struck several times with a cane across the head and shoulders by Ishizawa, because he had not held his hands properly at his sides while standing at attention. This took place about the 1st of March 1945 (Ex 42).

As to Specification 14 (Ishizawa): The alleged victim, John F. Donovan, in his affidavit states that Ishizawa beat him with the flat side of his sword because Ishizawa thought he was well enough to work, whereas the American medical officer, thought he was not (Ex 47).

As to Specification 15 (Ishizawa): On an occasion in March 1945, Ishizawa entered the barracks unnoticed by Hange, the alleged victim. Whereupon, because he had not saluted, Ishizawa struck him in the face with his clenched fist with sufficient force to knock him to the floor. When he arose, he was again struck in the face and at the same time kicked in the shins. These blows again knocked him to the floor. When he arose he was again struck and kicked which rendered him semi-unconscious.

Again in July, while confined in the hospital with amoebic dysentery, Ishizawa entered to take roll call. Hange, being ill and semi-unconscious, failed to salute, whereupon Ishizawa proceeded to kick him on the ankles and legs until they were badly bruised. As Hange's legs were already badly swollen and sore because of beri-beri, this attack was particularly painful (Ex 63).

As to Specification 16 (Ishizawa): (See Specification 15, Ishizawa) (Ex 63).

As to Specification 17 (Ishizawa): In his affidavit, Hettgar states that he was beaten by Ishizawa with his hands and fists, for moving while in ranks. The affiant states this beating took place in the latter part of May 1946, but this date is obviously an error as he was returned to the United States from overseas on 7 October 1945. Hettgar states that he was at Sendai Prisoner of War Camp No. 3, of which Ishizawa was Commandant, from 28 January 1945 until 11 March 1945 and from 16 May 1945 until 3 September 1945. It is thus indicated that the affiant was referring to May 1945 (Ex 67).

As to Specification 18 (Ishizawa): Leslie F. Zimmerman, the alleged victim, states that on 4 May 1945 he was beaten by Ishizawa for taking his eyes off him while saluting. On 11 July 1945, he was again beaten and then kicked by Ishizawa when he did not get out of his bunk and salute when Ishizawa entered the barracks. Follow

Prisoner of War John R. Boswell was a witness to this latter beating and kicking (Ex 13, 124).

As to Specification 19 (Ishizawa): (See Specification 18, Ishizawa) (Ex 124).

As to Specification 20 (Ishizawa): Maurice P. Schumaker, the alleged victim, states that sometime in March 1945, he and ten or twelve fellow prisoners of war protested about being sent on a coal and wood detail as they were all sick and in no condition to work. Ishizawa overheard this protest and started beating all of them with his fists. After about five minutes he stopped and ordered this group of prisoners of war to stand facing each other. Ishizawa then ordered them to slap each other. This was not done to the satisfaction of Ishizawa, whereupon he and a Japanese named Koiwa beat them with their fists. One of the prisoners of war was knocked to the ground. This beating lasted for about ten minutes after which this group of prisoners of war were made to stand at attention in the cold for about fifteen minutes. The prisoners of war had no shoes and the weather was extremely cold (Ex 111).

As to Specification 21 (Ishizawa): Sam D. Flora, the alleged victim in this specification, states that he was a member of a work detail which was allowed to "count off" in English by their guard when they returned to camp from the mine. Ishizawa, upon hearing this "counting off" in English, came out from an adjoining building and hit each prisoner of war in this detail with a club about two feet long and two inches in diameter. He beat each prisoner of war until the prisoner of war fell to the ground. Flora was hit upon the head and shoulders. On another occasion a supply-carrying detail, of which Flora was a member, was ordered to stand at attention in the snow until it was determined who had stolen some "moe-saw" (phonetic). After about one and one-half hour, a prisoner of war, Bragg, confessed and was thrown into the guardhouse. Whereupon the rest of the detail, instead of being released, were each slapped on the face by Ishizawa and a Japanese named Koiwa (Ex 52).

As to Specification 22 (Ishizawa): Frank Marshall Byrd states that on about 3 August 1945 he was caught by corporal of the guard Akai carrying a rock in his lunchbox as he (Byrd) was giving his rations to a prisoner of war patient in the hospital. He was taken before the camp commandant (Ishizawa) who slapped him about five times with his closed hand. The corporal of the guard then beat him with a bayonet scabbard for about thirty minutes, in the presence of Ishizawa. This guard tried to force the rock down his (Byrd's) throat. He was then confined in the guardhouse for twelve days on reduced rations. While in the guardhouse he was beaten by the guards and continuously slapped during his confinement. When Ishizawa hit Byrd with his fist, Byrd fell to the ground, whereupon Ishizawa kicked him several times (Ex 7, 18, 19, 20, 30, 93, 122).

As to Specification 23 (Ishizawa): John R. Breeze, the alleged victim, states that he was beaten by Ishizawa with a broom handle because he did not have his shoes properly aligned in the barracks (Ex 16).

As to Specification 24 (Ishizawa): Colonel Robert C. Gaskill saw Ishizawa on various occasions strike prisoners of war with a stick which was three feet long and about one and one-half inch in diameter.

Salvatore J. Amato states that during formations Ishizawa would go down the line and slap every man if a prisoner of war did not respond correctly to a Japanese command. The guards at the mine where the prisoners of war worked would frequently beat and slap the prisoners of war. This former prisoner of war states that there was hardly a day in which prisoners of war were not beaten by the Japanese military and civilian personnel in this camp of which Ishizawa was commandant.

Gerald Lee Anderson states that he saw Ishizawa take prisoners of war off the sick list or out of the hospital and force them to work on a light detail. During March 1945, when there was about eight inches of snow on the ground, prisoners of war were put in the guardhouse which had a cement floor. They only wore a light Japanese uniform with no overcoat and no blankets. There was no furniture in the guardhouse on which the prisoners of war could sit or lie. There was no heat.

John R. Boswell states that Ishizawa would go around the camp and look for infraction of the rules. He would then beat and kick the offenders.

During an inspection, if something didn't suit him, Ishizawa would back off from the front rank about ten inches or fifteen inches, run as hard as he could and strike the prisoner of war who had displeased him much like a football player tackling a dummy. When the prisoner of war was down, he would then kick him in the sides, stomach, or back. He would also place the instep of his shoe on the shins of the prisoner of war and run it down his shins with force, while making the prisoner of war stand at attention.

Tom S. Chandler states that, "Ishizawa allowed the guards to frequently beat the prisoners and subjugate them to other types of punishment such as remaining in solitary confinement, allowing them only rice balls for meals, fastening cucumbers weighing up to two pounds to the ears of the prisoners leaving them in this position for several hours, forcing them to stand at attention for as long as seven hours with pumpkins balanced on their heads, and allowing the guards to take food from the prisoners' mess and disposing of it either eating or selling it."

In a surprise "shakedown" Prisoner of War Nelson was discovered with a sack of rice. He was taken outside where five or six guards struck him about eighteen or twenty times until he was knocked to the ground. One guard struck him on the head with a rifle butt and another proceeded to kick him in the face and ribs (Ex 1, 4, 5, 9, 8, 11, 12, 13, 16, 18, 23, 26, 27, 28, 29, 31, 33, 35, 42, 43, 46, 47, 49, 54, 64, 67, 76, 77, 81, 85, 86, 92, 93, 104, 110, 113, 118, 119, 122, 123, 124).

As to Specification 25 (Ishizawa): Colonel Robert C. Gaskill, Medical Corps, states that he was medical officer while a prisoner of war at Sendai Camp No. 3. He states that exposure was the primary cause of two deaths, Davidson and Simpson. These two men in their physical condition were unable to bear the cold weather due to lack of clothing, heat and food. He further states in his affidavit that "all the deaths in camp were due basically to malnutrition, though in most instances the immediate primary cause was disease resulting from the lowered resistance of the individual caused by the malnutrition." In seven months at this camp, the only fruit received were two apples. Meat was rarely served. The only real meat was from two dogs weighing about twenty-two pounds each. Some of the men were walking skeletons but were still doing work in the mines. The lives of those who died could have been saved by proper food, warm clothing and warm quarters.

The amount of drugs and medicine was approximately ten to fifteen per cent of that actually needed. The hospital for the prisoners of war was a cold wooden barracks that was sealed against the cold. The equipment used had to be improvised. There were sixteen deaths at this camp, fourteen of them due to malnutrition. Two prisoners of war were killed on 28 August 1945 when hit by supplies dropped from United States B-29's.

The prisoners of war worked at a Mitsubishi-owned lead and zinc mine in water frequently up to their ankles. The seepage was so great as to amount to rain. The mine was drafty and cold. The shoring timbers were so rotten that frequent cave-ins took place. For work purposes the prisoners of war were put into six categories:

PURL: <https://www.legal-tools.org/doc/e8432>

No. 6, heavy work; No. 5, medium work; No. 4, light work; No. 3, confinement to quarters, no work; No. 2, confinement to camp hospital, no work; No. 1, confinement to hospital at Tokyo. As a quota of eighty-five per cent was required to work at the mine, prisoners of war were arbitrarily taken out of a no-work category and put into a work category. A Japanese corporal named Koiwa, one of the accused, was mainly responsible for this and Ishizawa was present. (Ex 1, 2, 5, 11, 15, 18, 19, 24, 29, 33, 34, 35, 39, 42-44, 47, 48, 49, 55-57, 65, 67, 70, 77, 81, 85, 89, 92, 93, 107, 115, 118, 122, 124).

As to Specification 26 (Ishizawa): Not Guilty.

As to Specification 27 (Ishizawa): See Specification 25 (Ishizawa).

As to Specification 28 (Ishizawa): At the conclusion of the war, the prisoners of war were given three large Red Cross medical boxes containing mixed drugs -- plasma and vitamins which had been withheld from the prisoners of war and stored in the mine as paper around the boxes was mildewed. These drugs would have been sufficient for a month's supply by normal standards and for a year according to the standards followed at this prisoner of war camp.

A large supply of Red Cross clothing was stored in a warehouse at the camp which was never issued to the prisoners of war. This clothing consisted of woolen shirts, underwear, sweaters, overcoats, blankets, socks, G.I. shoes, caps, gloves, trousers and toilet articles. The Japanese personnel were using the Red Cross blankets as cushions in their offices and also as bedding. They openly wore G.I. shoes and other Red Cross clothing. Upon protests being made to Ishizawa to issue this clothing, he stated that he would not as the prisoners of war would be better dressed than the Japanese civilians.

An issue of one Red Cross box per prisoner of war was made and when they received them it was discovered that they had already been opened. Some chocolate bars and cigarettes were missing from each box. On another occasion, when Ishizawa was requested to make another issue, he stated that he would if a prisoner of war, Capt Dean, would sign a receipt for sufficient boxes to provide one box for each member of the Japanese staff. After much debate by all the prisoners of war, it was agreed to accept this proposition, rather than not to receive any boxes at all. In this second issue the chocolate bars and cigarettes were also missing. Ishizawa was constantly observed with packages of American cigarettes (Ex 1, 2, 8, 15, 22, 24, 30, 38, 42, 43, 44, 49, 51, 63, 65, 73, 76, 77, 80, 81, 92, 101, 103, 104, 113, 115, 118, 124).

As to Specification 29a(Ishizawa): On 4 March 1945 Wilbur Cox reported to Medical Officer Colonel Gaskill with a sore left foot. He returned on 30 March 1945, at which time an infection was noted at the site of the original pain. On 3 April this abscess was incised and drained at the hospital in camp. He was readmitted because of further infection which caused his foot to be swollen up to the size of a football. Lt Kobayashi, the Japanese medical officer at the camp hospital, was informed by Colonel Gaskill that radical surgery was necessary on the foot to drain off the pus and this could not be done at the camp hospital which lacked necessary equipment. Colonel Gaskill recommended to Kobayashi that Cox be sent to the mine hospital for the operation as the necessary equipment was available there. Kobayashi refused to follow these recommendations. Kobayashi was reminded by Colonel Gaskill for over a period of seven weeks of this necessity of surgery to save the foot, but Kobayashi ignored these requests. Finally, on 25 May 1945, it became a question of saving Cox's life, and he was admitted to the mine hospital where a Japanese doctor, Masahara Sonoda, amputated Cox's foot. Colonel Gaskill, an experienced surgeon, states that "Cox's foot would have been saved if he had been given hospital treatment and Kobayashi is responsible for the failure to provide such treatment." (Ex 1, 2, 11, 13, 33, 39, 41, 48, 51, 52, 65, 117, 121, 124) URL: <https://www.legal-tools.org/doc/e84328/>

As to Specification 29b (Ishizawa): Prisoner of War William G. Allen was admitted to the camp hospital on 2 February 1945 for pneumonia. It became necessary to withdraw fluid from his chest. Prisoner of War Colonel Gaskill, who was treating Allen, frequently requested of Kobayashi to get syringes and needles to withdraw the fluid from Allen's chest. Kobayashi refused and frequently remarked "better all prisoners die". Kobayashi was fully aware of Allen's grave condition. Ishizawa would watch Gaskill withdraw fluid from Allen's chest and was made aware by Gaskill of Allen's serious condition and necessity for an operation. Ishizawa ignored Gaskill's requests to have an operation performed which would have saved Allen's life. Allen died on 26 March 1945. The expert medical opinion of Colonel Gaskill, an experienced surgeon, is that Allen's life could have been saved if Allen had been able to receive proper care. Kobayashi was known as "Frog Eyes" among the prisoners of war. Former Prisoner of War Major William E. Wilson, Medical Corps of United States Army, an experienced surgeon, who also helped to take care of Allen, states that he also frequently requested of Kobayashi that Allen be taken to the mine hospital for an operation to save Allen's life. Kobayashi would always answer, "No, No." (Ex 1, 2, 65, 117, 121).

As to Specification 29c (Ishizawa): John R. Boswell states, "The Japanese doctor, known as 'Frog Eyes' was the most hated man in camp. He lined us up weekly in the nude, in an unheated building to be weighed." The prisoners of war brought a chest full of medical supplies with them from the Philippines, but it was taken away from them by Kobayashi. He (Kobayashi) repeatedly ignored the requests of Colonel Gaskill and Major Wilson to issue more medicine so that they could treat the many sick prisoners of war.

The prisoners of war received little or no medical attention from Kobayashi, who was the Japanese medical officer in this camp, and the sick toll amongst the prisoners of war was very high. If a prisoner of war needed medical attention, Kobayashi would not give any treatment unless the prisoner of war had a fever of over 101 degrees. Ishizawa was well aware of these conditions as Kobayashi accompanied Ishizawa on his tour of the sick (Ex 1, 13, 18, 22, 24, 44, 49, 54, 65, 79, 113, 119, 122, 124).

As to Specification 29d (Ishizawa): Kobayashi would often send sick prisoners of war out to work when the Prisoner of War Medical Officers Gaskill and Wilson had marked them unfit for work.

Anthony Bardine states that he was forced to work in the mines by "Frog Eyes" even though he was suffering from dysentery and had been certified as being too sick to work. Kobayashi would allow only a small percentage of the sick prisoners of war to remain in camp. All prisoners of war who were certified as too sick to work would be inspected by Kobayashi and the sick prisoners of war with the largest legs were sent to the mine to work.

Many prisoners of war that were in a "run down" condition with pneumonia and pleurisy would be ordered to go to work by Kobayashi. This was concurred in by Ishizawa, as a certain quota of prisoners of war had to be sent to the mines to work.

John Marvin Cheek states that he was forced to work by Kobayashi even though his (Cheek's) ankle was swollen to twice its normal size (Ex 1, 8, 16, 18, 24, 28, 34, 43, 44, 51, 58, 65, 92, 115).

As to Specification 29e (Ishizawa): Kobayashi was often observed smoking American Old Gold cigarettes which had been taken from Red Cross boxes. When Red Cross boxes were issued to the prisoners of war, no cigarettes were contained therein. He was also observed eating American food. He would take drugs and vitamin tablets from Red Cross boxes and take them to a nearby town to sell them. He was also observed drinking "Instant" coffee.

Wilbur G. Cox, states that "Kobayashi was in cahoots with Ishizawa in the appropriation and confiscation of Red Cross supplies" (Ex 1, 6, 7, 18, 28, 32, 38, 85, 104, 63).

restored

Continued

As to Specification 29f (Ishizawa): Alexander F. Nalezinski and Miles R. Cain both state that, when they and about eight other prisoners of war reported on sick call to Kobayashi, he made the group stand facing each other. He then forced the prisoners of war to slap one another's faces until several of the prisoners of war collapsed to the ground. This took place about May or June 1945 (Ex 21, 85).

As to Specification 29g (Ishizawa): Glenn L. Chalfant states that on about 4 July 1945 Kobayashi found him trying to fashion a spoon out of a discarded mess kit. Kobayashi accused him of destroying a mess kit, whereupon he slapped Chalfant four or five times with his open hand, and Chalfant was subsequently given a week in the guardhouse. Chalfant continued to work in the mine during this week and when he returned to camp from the mine, he was put in the guardhouse instead of going to his barracks.

Ishizawa was fully cognizant of all that went on in camp and approved the slappings and beatings of prisoners of war by the personnel under his command (Ex 24).

As to Specification 29h (Ishizawa): The alleged victim Hendrickson, states that during the latter part of July 1945, while on a supply-carrying detail, he dropped a 170-pound sack of beans which he was carrying. When he could not get it on his back by himself, Kobayashi struck him about the face and head with his fists. Hendrickson was knocked to the ground three or four times (Ex 65).

As to Specification 29i (Ishizawa): About May 1945 Cain, with about seven or eight other prisoners of war, reported to Kobayashi to be excused from work as they were ill. Whereupon Kobayashi made all of them line up outside his office and, after shouting and yelling at them for several minutes, he slapped each of them several times with both his hands. He then sent them all off to work, excusing none (Ex 21).

As to Specification 29j (Ishizawa): Kobayashi, known as "Frog Eyes", beat many prisoners of war and on one occasion beat Raymond Collins whom he thought stole some food. He was one of the worst-hated Japanese in camp. When prisoners of war reported to him for sick call, he would slap and beat them with his doubled fists, and send them to work. When prisoners of war with swollen feet reported on sick call, Kobayashi would have them stick them out for inspection. He would then stomp on these swollen feet and ask the prisoners of war if it hurt. Kobayashi at various times hit sick prisoners of war for not working (Ex 10, 12, 26, 36, 38, 43, 51, 55, 71, 83, 116).

As to Specification 29k (Ishizawa): Yasushi Takasago, also known as "The Mess Sergeant", "The Bamboo Kid", "Pretty Boy", "Big Stoop", and "Flat Face", was a Japanese civilian camp employee in charge of the kitchen and the worst man inside the camp concerning the physical mistreatment of prisoners of war. Prisoner of War Captain Dean complained to Ishizawa about Takasago's mistreatment of the prisoners of war, but there was no change in the situation.

Boudolf and Meier reported to Medical Officer Colonel Gaskill that they had been struck, slapped and knocked down by Takasago.

Joseph Louis Boudolf states that in April 1945 he, Padbury and Portis were beaten on the head with a bamboo pole because they had returned unclean food buckets to Takasago. Boudolf's head was split open and no medical aid was given to him. Emil B. Meier, one of the victims, states that he was in this group of prisoners of war, and he describes the bamboo pole that Takasago used as a "bimbo". Elvis R. L. Moore witnessed this beating.

Reflected

Walter E. Portis, one of the victims, states that each of them received scalp wounds as a result of this beating. He did not report for medical attention (Ex 1, 4, 14, 43, 59, 80, 83, 101, 120).

As to Specification 29l (Ishizawa): Colonel Gaskill witnessed the beating administered to Chief Petty Officer William E. Fox by Takasago because Fox did not bow and salute to Takasago when he returned a rice bucket. Takasago made Fox stand at attention and then hit him on the head with a bamboo pole four or five feet long and two inches in diameter. This blow knocked Fox to the ground and into unconsciousness with blood streaming down his face. Colonel Gaskill sutured the wound on Fox's head which was about one and three-fourths inch long, went down to the skull and was located on the left front top of his head. Fox told Gaskill that there was a nail on the bamboo pole.

William E. Fox states that there was a ten-penny nail on the end of the pole when Takasago hit him and that he (Fox) was knocked unconscious for fifteen or twenty minutes. Two stitches were necessary to close the wound (Ex 1, 14, 38, 47, 55, 117, 124). See also Specification 29k (Ishizawa).

As to Specification 29m (Ishizawa): Gerald Lee Anderson, the alleged victim, states that in July 1945, while carrying a bag of soy beans, he spilled some. While on his knees picking them up, Takasago saw him and ordered him to stand up. Takasago then slapped me on the face numerous times. He then took a bamboo stick and beat my face several times." (Ex 5). See also Specification 29k (Ishizawa).

As to Specification 29n (Ishizawa): Edward A. Padbury, the alleged victim, states that in June 1945 he visited Ishizawa in his office to protest a cut in rations. After listening to Padbury's complaint, Ishizawa suddenly struck Padbury with his fist in the area of his right temple. Ota and Koiwa, hearing this noise, ran out of their offices and began clubbing Padbury with their fists. The "Mess Sergeant" then came out of his office with a bamboo club five inches long and two inches in diameter and "with this he began chopping at me, the blows falling on my head, shoulders, back and wherever there was an opening." Padbury ran out of the building, Ishizawa going back to his office. Outside, four guards joined Ota, Koiwa and Takasago and then all continued to push and beat Padbury for a period of fifteen or twenty minutes. As a result of this beating, Padbury suffered a broken nose and had a front tooth knocked out. Colonel Gaskill examined Padbury after this beating and found that he had a broken nose, a broken tooth, as well as minor cuts and bruises on his face (Ex 1, 95).

As to Specification 29o (Ishizawa): James Newell, Jr., the alleged victim, states in his affidavit -- after identifying Takasago from a photograph -- that Takasago hit him twice with his fists because he (Newell), while cleaning the floor had accidentally caused a door to fall thus breaking four panes of glass (Ex 90).

As to Specification 29p (Ishizawa): F. D. Aldridge states that Henry Chamberlain, who was a medical orderly in the camp hospital, told him that Takasago had hit him (Chamberlain) on the head with a bamboo pole because Chamberlain had returned an unclean rice bucket. Chamberlain also told Colonel Gaskill of this beating (Ex 1, 2).

As to Specification 29q (Ishizawa): George Fox, Jr., the alleged victim, states that in July 1945 he was struck by Takasago with his fist which knocked him to the floor. Takasago struck him because he (Fox) had inadvertently entered a shower room wearing wooden clogs (Ex 54).

Restricted
As to Specification 29r (Ishizawa): Nolan L. Williams states that Takasago slapped him hard enough to knock him to the ground when he failed to salute Takasago (Ex 119).

As to Specification 29s (Ishizawa): Stanford A. Bond states that Takasago became very angry with him when he went out looking for coal "...and beat me down into the snow and even then he kept hitting me time after time. I was already so cold and numb from the cold that the blows knocked me out and I lay in the snow for quite some time." (Ex 12).

As to Specification 29t (Ishizawa): Glenn L. Chalfant states that on an occasion, when he stuck his head in the kitchen door to inquire when food would be ready, "The Mess Sergeant" struck him in the face three or four times with his closed fist. Takasago, who was a civilian employee in charge of the kitchen, was known as "The Mess Sergeant" among the prisoners of war (Ex 24). See also Specification 29k (Ishizawa).

As to Specification 29u (Ishizawa): John Marvin Cheek, the alleged victim, states that in July 1945 Takasago beat him about the head with a wooden "Go-ahead", (a wooden shoe about ten to twelve inches long), causing many bruises about his face and ears (Ex 28).

As to Specification 29v (Ishizawa): Earl M. Conover, the alleged victim, states that Takasago slapped him in the face with his open hand when he failed to salute Takasago, who was known as the "Mess Sergeant" (Ex 35).

As to Specification 29w (Ishizawa): Clifford F. Hommey, the alleged victim, states that on or about 10 July 1945 he returned some rice buckets to "Big Stoop" who did not think they were clean enough. "Big Stoop" thereupon slapped Hommey on the face with sufficient force to knock him to the ground. Hommey then got up and stood at attention. While standing at attention "Big Stoop" hit him straight on the mouth with his fist and loosened two teeth, upper right two and upper left two. "These two teeth were so loose that I pulled them out easily when I returned to my barracks." (Ex 69). See also Specification 29k (Ishizawa).

As to Specification 29x (Ishizawa): Henry F. McCaulla, the alleged victim, states that on about 25 July 1945 he had been detailed to work in the kitchen because of an infected finger. Takasago thought he was too healthy to be working in the kitchen and started to beat him on the face, head and neck with his fists. While this was going on, the prisoner of war marine sergeant who had detailed McCaulla to the kitchen came in and tried to explain to Takasago, whereupon Takasago turned on this Marine and started to beat him in the same manner. McCaulla and this Marine were beaten off and on for about fifteen minutes (Ex 78).

As to Specification 29y (Ishizawa): On or about July 1945, Prisoner of War Elvis R. L. Moore saw Takasago beat with his hands, British Prisoner of War James Mowatt. Takasago then made Mowatt hold a pan of water over his (Mowatt's) head until Mowatt collapsed. Moore identified Takasago from a photograph (Ex 83).

As to Specification 29z (Ishizawa): Prisoner of War Colonel Gaskill states that in his opinion Takasago was the worst man in the camp as far as physical mistreatment of the prisoners of war was concerned. On numerous occasions he saw Takasago strike prisoners of war with his hand -- inside the kitchen, outside the kitchen and in the vicinity of the kitchen. Gaskill also saw Takasago require prisoners of war to kneel down as punishment and while in this position they were required to hold a bucket of water at arms' length. Many prisoners of war constantly reported to Gaskill, as medical officer and prisoner of war camp commander, that they had been slapped, struck, knocked down and otherwise mistreated by Takasago.

Revised

Takasago frequently used his fists and rice paddles to beat prisoners of war. He did not appear to be rational and was apt to swing at anyone nearby. He would also frequently hit prisoners of war with a bamboo stick. He was called "the Bamboo Kid" by the prisoners of war (Ex 1, 2, 4, 5, 7, 15, 23, 27, 30, 51, 57, 59, 71, 78, 90, 101, 106, 113, 116, 119, 120, 124).

As to Specification 29aa (Ishizawa): NG

As to Specification 29bb (Ishizawa): Colonel Gaskill observed Ota smoking Old Gold cigarettes. In fact, Ota gave him one of these Old Gold cigarettes. When the prisoners of war received Red Cross boxes, cigarettes were missing. Ota was often observed with full packages of American cigarettes which he could have received from only Red Cross food parcels. Ota was also observed eating American chocolate candy which generally was received in Red Cross parcels. He was also observed wearing Red Cross shoes, socks, and gloves (Ex 1, 8, 22, 44, 51, 87, 91, 124).

As to Specification 29cc (Ishizawa): Lt James Forbes Lawrence told Colonel Gaskill that he had been badly beaten by Koiwa and had had a number of teeth broken off or knocked out. James F. Lawrence, the alleged victim, states that Koiwa, who was also the interpreter in this camp, beat him up twice so severely that he lost several teeth. James Newell states that he observed the beating that Koiwa gave to Lawrence when Lawrence asked Koiwa for a little extra food. Koiwa gave him "one of the most severe beatings I ever witnessed". (Ex 1, 2, 73, 78, 89, 101, 116).

As to Specification 29dd (Ishizawa): See Specification 4 (Ishizawa) (Ex 1, 2, 35, 42, 51, 59, 117, 124).

As to Specification 29ee (Ishizawa): Walter E. Portis, the alleged victim in this specification, states that in or about February or March 1945 he was struck by Lance Corporal Koiwa, the camp interpreter, for not placing his shoes properly underneath the bed. Koiwa struck him several times with the heel of his hand, leaving marks on the side of his head (Ex 101).

As to Specification 29ff (Ishizawa): Albert E. Herrera, the alleged victim, states that in about February 1945 he was detailed to help carry some supplies from the station to the prisoner of war camp. A heavy bale was placed on his back, and he complained that it was too heavy for him to carry. Koiwa, upon hearing this complaint, came up and hit him on the left side of the face knocking him down. While he was down Koiwa kicked him two times and told him to get up. When he got to his feet, Koiwa then struck him three or four times with his fist. Koiwa then called a guard and told him to beat Herrera with a bayonet scabbard which the guard did until stopped by others. (Ex 66, 105).

As to Specification 29gg (Ishizawa): NG.

As to Specification 29hh (Ishizawa): Sam D. Flora, one of the alleged victims, states that as a result of some prisoner of war stealing mee-saw (phonetic), he (Flora) was made to stand in the snow for about an hour and a half until a fellow prisoner of war confessed to the stealing. When this prisoner of war confessed, Koiwa then slapped Flora's face several times. William J. Middleton, the other alleged victim in this specification, states that he was one of the prisoners of war mentioned by Flora. When the prisoners of war returned to the barracks, they were blue and badly chilled from the cold (Ex 52, 63, 82, 98, 124).

As to Specification 29ii (Ishizawa): NG.

As to Specification 29jj (Ishizawa): Carlie Choate, the alleged victim, states that, while he was on a detail carrying beans, Koiwa discovered that one of the bags was broken. Koiwa then ordered the detail to line up and then had the guards slap all the prisoners.

Retained

prisoners of war who were on this detail of which Choate was a member (Ex 29).

As to Specification 29kk (Ishizawa): John H. Eatherington, the alleged victim in this specification, states that in about March 1945, while he was on a detail with other prisoners of war doing manual labor, a Japanese civilian gave him some cigarettes which he put away in his pocket. The guard observed this and Eatherington was taken to the office of Ishizawa who was present along with the chief of police of the City of Hosokura and Koiwa, the interpreter. When Eatherington was asked if he had spoken to the Japanese civilian and answered, "No," Koiwa struck him across the face with his fist and followed this with several more blows to his body. While he was down Koiwa kicked him several times in the back and in the legs as hard as he could. When Eatherington got back on his feet, Koiwa again slapped him three or four times in the face. Ishizawa was present during this beating but did nothing about it (Ex 49).

As to Specification 29ll (Ishizawa): George J. Medwick, the alleged victim, states that Koiwa discovered him cooking rice during working hours. Koiwa then made him stand at attention and slapped him for approximately five minutes (Ex 79).

As to Specification 29mm (Ishizawa): William J. Middleton, the alleged victim, states that because he was unable to half-sole a pair of boots which he was told to repair, Koiwa slapped and kicked him (Ex 82).

As to Specification 29nn (Ishizawa): Isaac Hylton, one of the alleged victims, states that sometime during August, at a "shakedown", a squash was found in his possession. Five Japanese guards apprehended James R. Maggard, the other alleged victim in this specification, and they began beating them with rifles, ropes and their fists, which beating lasted for about one and one-half hour. Hylton and Maggard were then forced to stand at attention for approximately three hours holding a bucket of water over their heads. Subsequent to this incident, they were both made to stand at rigid attention for two nights. Koiwa was one of the five Japanese that participated in these incidents.

James R. Maggard states that he was the one that carried the squash into the camp. When the Japanese found this out, two guards beat him severely with clubs knocking him down four or five times. They then tied the squash around his neck on a string and made him stand at attention all night until he collapsed and remained unconscious for about thirty minutes. As a result of this abuse, the faces of Hylton and Maggard were swollen and there were marks across their backs and legs from the beating (Ex 34, 71, 75).

As to Specification 29oo (Ishizawa): Sometime in July 1945 Orran Crandall was punished by Koiwa because he had stolen some food. Crandall was beaten in Koiwa's office and was knocked against the table and fell to the floor. Sgt Crandall died on 12 August 1945 from malnutrition (Ex 48, 124).

As to Specification 29pp (Ishizawa): Zenkichi Koiwa, who was a corporal in the Japanese Army and interpreter at this camp, was also in direct charge of furnishing men for work at the mine. He would often redesignate prisoners of war who had been certified as unfit to work by Colonel Gaskill and send them to work in the mine over the protest of Colonel Gaskill. Koiwa would also frequently arbitrarily pull prisoners of war out of the morning sick-call line before the camp doctor could examine them and send them to the mine with the working parties. There were six categories of physical fitness set up by the Japanese in which to classify the prisoners of war for work. No. 6 was heavy work; No. 5 was medium work; No. 4 was light work; No. 3 was confined to quarters, no work; No. 2 was confined to camp hospital, no work; No. 1 was confined to hospital at Tokyo. About fifty percent of the time, Koiwa would send prisoners of war to work in the mine who had been placed in Nos. 3 and 4 categories redesignating them as

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physically unfit for heavy or medium work. Koiwa frequently sent prisoners of war suffering from beriberi or bad feet, being hardly able to walk, to work in the camp garden carrying night soil from the latrine. Pvt Edward Smack was sent to work by Koiwa when his leg was still running from a wound which had been inflicted upon him. Prisoner of War Byrd, even though he was still vomiting blood, was sent to work by Koiwa. Koiwa's only idea was to get as much work as possible out of the prisoners of war regardless of their physical ability to work (Ex 1, 2, 4, 10, 13, 16, 23, 33, 43, 49, 53, 67, 70, 72, 77, 78, 85, 89, 119, 124).

As to Specification 29qq (Ishizawa): If any prisoner of war, while in a line-up ready to go to work, complained that he was unfit to work, Koiwa personally slapped or struck such a prisoner of war. On various occasions, when the prisoners of war were detailed to carry lumber, some of them would collapse at which time Koiwa would kick and hit them to get them on their feet. Koiwa was often observed striking prisoners of war with a club when they would not respond to his commands which were given in Japanese. He would also order "slapping bees". This consisted of having prisoners of war line up facing each other and then ordering the prisoners of war to slap each other. If a prisoner of war did not cooperate in this order, Koiwa himself would beat the prisoner of war (Ex 1, 4, 5, 6, 7, 8, 12, 15, 16, 23, 38, 43, 49, 55, 65, 68, 72, 77, 78, 83, 102, 105, 111, 116, 123, 124).

As to Specification 29rr (Ishizawa): James Newell, Jr., states that on or about 15 August 1945, while he was at the mine at which the prisoners of war worked, a Japanese military guard by the name of Takeyama hit him on the head with the butt of his rifle. This guard was known as "Mushmouth" among the prisoners. Two stitches were required to close the wound in Newell's head. (Ex 1, 14, 42, 83, 88, 89, 101).

As to Specification 29ss (Ishizawa): Edward L. Smack, Jr., the alleged victim in this specification, states that on 5 July 1945 he was struck by a Japanese Army private who was known as "The Beast" by the prisoners of war. This beating was occasioned by Smack's inability to understand this guard's order which was given in Japanese. The guard struck him with a steel rod which was about three feet long and about one-half inch in diameter. He was struck on the right shin bone with sufficient force to render him unconscious. He was then carried to the camp dispensary where medical officer Captain Wilson sewed the wound, requiring eight stitches. Smack was confined to quarters for a period of twenty-one days as a result of this beating (Ex 13, 21, 26, 42, 51, 112).

As to Specification 29tt (Ishizawa): Heikichi Sato was a Japanese civilian guard employed by the Mitsubishi Mining Company to watch over the prisoners of war while they worked in the mine. He was known as "Joe Louis" by the prisoners because he resembled Joe Louis, the Negro heavy-weight prize fighter.

Roland E. Nelson, the alleged victim, states that on several occasions "Joe Louis" hit him so hard that he was knocked across three lines of railway tracks. Nelson further states that in his opinion "Joe Louis" was the worst guard at this camp. On another occasion Sato hit Nelson on the head with a hammer which knocked Nelson to the ground. On another occasion, when Nelson had stolen a cucumber from the garden, "Joe Louis" beat him on the head with a club which caused his head to bleed severely from the wound inflicted. It required several days for Nelson to recuperate from this beating. "Joe Louis" was identified as Heikichi Sato. (Ex 36, 37, 43, 74, 75, 86, 94, 104, 114, 115, 124).

As to Specification 29uu (Ishizawa): Louis B. Read, the alleged victim, states that he was mistreated many times by "Joe Louis" who looked like the heavy-weight champion. "Joe Louis" frequently struck him with a small iron hammer as well as kicking and

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slapping him when Read did not salute or when an ore car was derailed. As a result of these beatings, Read suffered many lacerations, cuts, and bruises (Ex 36, 37, 43, 72, 75, 103).

As to Specification 29vv (Ishizawa): Seymour Hoffenberg, the alleged victim, states that on about 10 August 1945, when he had reported for work at the mine, "Joe Louis" noticed that some carbide was missing from his carbide lamp. "Joe Louis" searched him and found a small piece of this carbide in his pocket. "He then beat me on the face and mouth with a hammer for about five minutes. It was a regular hammer that he hit me with, about one foot long with a regular steel head on it. The blows were hit hard enough to crack three of my front teeth." No medical treatment was given to Hoffenberg.

Ishizawa, the camp commandant, frequently visited the mines and observed the work that the prisoners of war performed and also the treatment they received at the hands of the guards (Ex 46, 68).

As to Specification 29ww (Ishizawa): John R. Boswell, the alleged victim, states that early in March 1945 he was slapped and kicked by "Joe Louis" because he (Boswell) was not breaking carbide fast enough. "Joe Louis" was considered the roughest guard at this camp (Ex 13).

As to Specification 29xx (Ishizawa): Wilbur G. Cox, the alleged victim, states that about 15 March 1945, while working in the mine, an ore car which he was pushing became derailed. Because he was having difficulty getting it back on the track, "Joe Louis" beat him about the head many times with a stick until Cox suffered bruises about the head, ear, cheek and his jaw was swollen. Cox identified a photograph of Heikichi Sato as being the same person known to him and to his fellow prisoners of war as "Joe Louis" (Ex 37).

As to Specification 29yy (Ishizawa): Adrian Clyde Davidson, the alleged victim, states that he was struck by "Joe Louis" because he did not respond to an order given in Japanese. It was an open-handed blow not rendered with sufficient force to completely knock Davidson off his feet, but with sufficient force to stagger him (Ex 42).

As to Specification 29zz (Ishizawa): John H. Eatherington, the alleged victim, states that in July 1945 "Joe Louis" struck him on the back between the shoulders with a hammer because "Joe Louis" thought he was not working fast enough. Eatherington was knocked to the ground and his back remained sore for about a week after this beating (Ex 49).

As to Specification 29aaa (Ishizawa): Samuel Houston Gribble, the alleged victim, states that on about 1 March 1945, while working in the mine, he requested of "Joe Louis" to have more carbide for his lamp. "My request made 'Joe Louis' angry and he began beating me about the head, shoulders and back with a 21d ballpeen hammer he had in his hand. I was knocked unconscious for a few minutes, and when I regained consciousness 'Joe Louis' was hitting me with the handle-end of the hammer." Gribble's face was badly cut and his forehead was wounded, which caused it to bleed (Ex 61, 62, 114).

As to Specification 29bbb (Ishizawa): Amador B. Lovato, the alleged victim, states that in about March 1945 he fell to the rear of a work detail at the mine. "Joe Louis", seeing this, rushed up to him and beat him with a broom-handle stick for about five minutes (Ex 74).

As to Specification 29ccc (Ishizawa): Louis N. Curtis, the alleged victim, states that in about April 1945, while working in the mine, he was beaten by "Joe Louis" because "Louis" did not think he was working fast enough. "He struck me in the back of the neck two or three times with a hammer, as a result of which I was rendered unconscious. The skin at the point of the blow was broken.

and the scar of that wound is still visible on my neck." About two weeks after this beating, "Louis" again struck Curtis for attempting to take a small amount of carbide out of the mine. On this occasion, "Louis" beat him about the head and face with his fist which rendered Curtis very dizzy (Ex 40).

As to Specification 29ddd (Ishizawa): Frank Perry, the alleged victim, states that in about June 1945, while very sick, he was detailed to work in the mines. Thinking that if he would feign insanity he would thereby be released from work, he tried to convince the Japanese guards that he was mentally unbalanced. "Louis", noticing his actions, then beat him with a pick handle three or four times across his back which knocked him down. "Louis" then kicked him in the ribs (Ex 97).

As to Specification 29eee (Ishizawa): John M. Samarrippa, the alleged victim, states that in about June 1945, while working on the night shift in the mine, he was severely beaten by "Joe Louis". He was hit three or four times in the face by "Louis" who used his fist. This was followed by a beating with a club about four feet long and about four inches thick. Samarrippa was beaten across the back and ankles about two or three times with this club. (Ex 23, 24, 109).

As to Specification 29fff (Ishizawa): Donald C. Wight the alleged victim, states that "Joe Louis" was a trouble-maker in the mines. He further states that on 21 July 1945, while breaking carbide for use in mine lamps, he permitted other prisoners of war to help themselves to this carbide. "Joe Louis", upon seeing this, then hit him about five times in the face with his hand which caused his nose to bleed and which cut his lip (Ex 118).

As to Specification 29ggg (Ishizawa): Andres G. Ramos, the alleged victim, states that, while working in the mine sometime about July 1945 with a fellow prisoner of war, "Joe Louis" accused them of eating their lunches before the regular lunchtime. When Ramos denied this, "Joe Louis" beat him about the face with his fist causing one of his teeth to become loose. "Louis" also beat the other prisoner of war when he also denied eating his lunch (Ex 102).

As to Specification 29hhh (Ishizawa): Frank Perry, the alleged victim, states that in about March 1945, he received a beating from a Japanese civilian straw boss known as "The Weasel". This Japanese straw boss was also known as "The Snake". "The Weasel" struck him from behind with a stick handle which caused him to fall to the ground and hit his head on the rails, knocking him unconscious. He lay unconscious in the snow unidentified for about twenty minutes until he was helped by other prisoners of war to a nearby house where he was given first-aid treatment. While Perry was unconscious, "The Snake" or "The Weasel" kicked him about the head and body for about five minutes. "The Snake" or "The Weasel" was identified as Kishio Sasaki, who was a Japanese civilian guard employed at the mine and camp to guard the prisoners of war (Ex 1, 37, 43, 72, 75, 96, 99).

As to Specification 29iii (Ishizawa): John W. Joyce, the alleged victim, states that "The Snake" on various occasions hit him across the head with a stick for no reason at all. "The Snake" was a Japanese civilian supervisor in the coal yard of the mine where the prisoners of war worked (Ex 72).

As to Specification 29jii (Ishizawa): Ernest J. Bales, the alleged victim, states that he was on at least five occasions slapped by "The Weasel" because he was not working properly or because he was talking. Bales further states that in about April or May, Sasaki, known as "The Snake" and "The Weasel", slapped him in the face four or five times because the sack of coal that Bales was carrying was not filled to full capacity. On another occasion in July of August 1945, "The Weasel" slapped Bales in the face about seven times because he had taken off his shirt without asking the permission of Sasaki (Ex 7).

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As to Specification 29kkk (Ishizawa): Wilbur Cox, the alleged victim, states that, while he was on a coal-carrying detail, he momentarily placed the sack of coal upon the ground to rest. "Snake", who was supervising this detail, thereupon beat him about the head and face with a stick about two feet long and about one inch in diameter. Cox suffered many bruises as a result of this beating. Cox further identified Kishio Sasaki as being the Japanese civilian guard known by the prisoners of war as "The Snake" or "The Weasel". (Ex 37).

As to Specification 29lll (Ishizawa): Clair L. Case, the alleged victim, states that in about May 1945, while helping to push an ore car in the mine, it became derailed. When Case and the other prisoners of war could not get the ore car back on the track fast enough, "The Weasel" shoved Case backwards and he fell over the rail twisting his ankle. When Case could not get up because of his ankle, "The Weasel" beat him for about ten minutes which resulted in Case's being confined to bed for six weeks (Ex 23).

As to Specification 29mmm (Ishizawa): Frank D. Chambers, the alleged victim, states that in the spring of 1945, because he was suffering from beri-beri and was weak, he could not perform the work assigned him to the satisfaction of "The Weasel", whereupon "The Weasel" struck him across the back and shoulders several times using a stick that he carried which was about the size of an ordinary walking cane (Ex 26).

As to Specification 29nnn (Ishizawa): Sam D. Flora, the alleged victim, states that "The Weasel" who was sometimes referred to as "The Snake" beat him while he was on a coal-carrying detail. "The Weasel" beat him several times with a stick because he stumbled while carrying sacks of coal (Ex 52).

As to Specification 29ooo (Ishizawa): John Charles Fosker, the alleged victim in this specification, states that he was a British prisoner of war at Sendai Prisoner of War Camp No. 3, Hosokura, Japan, from 29 January 1945 to the end of the war. He further states that, while on a coal-loading detail at the mine, "The Weasel" hit him with a crowbar across the neck and knocked him unconscious. He further states that "The Weasel" had a very bad temper and hit him with his hand and with a stick on several other occasions (Ex 53).

As to Specification 29ppp (Ishizawa): Arthur O. Maki, the alleged victim, states that he was beaten by "The Weasel" on various occasions. "The Weasel" carried a small bamboo stick just about all the time and would beat the prisoners with this at the slightest pretext. He beat me just about every day. I worked for him from June of 1945 until we were released in September. These beatings were severe. I had been knocked down, beaten until I became dizzy and blood flowed from the cuts. These beatings were usually applied to the head, the face and across the back. I received innumerable beatings from "The Weasel". (Ex 76).

As to Specification 29qqq (Ishizawa): George Fox, Jr., one of the alleged victims in this specification, states that in about July 1945 twenty prisoners of war, himself included, were on a work detail at the mine. Upon arrival inside the mine, it was noticed that one prisoner of war had carried a can of carbide into the mine, whereupon all the prisoners of war were lined up in a single file and "Tomahuchi", a Japanese civilian supervisor, struck each prisoner in the face with his doubled fist as hard as he could. This civilian Japanese supervisor was Nisa Tanifuji, also known as "Tom", "Tomahuchi", "Tonihuji", and "Tonaeki". George Fox, Jr., further states that on 12 August, while he and another prisoner were being taken on a work detail by "Tomahuchi" into the village of Hosokura, they passed evidence of American bomb damage. Thereupon "Tomahuchi" slapped each of them across the face four times, using alternately the fore and back of his hand. Later, when they were loading lime on each other's backs, he again slapped each of them in the face by the same method (Ex 54).

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As to Specification 29rrr (Ishizawa): See Specification 29qqq (Ishizawa).

As to Specification 29sss (Ishizawa): John M. Samarripa, the alleged victim, states that in about April 1945 "Tom" inspected his lunchbox before starting out for the mine. Upon seeing that Samarripa had already eaten part of his lunch, he beat him on the head with a club and with his fist (Ex 109).

As to Specification 29ttt (Ishizawa): Roy Herman Brantley, the alleged victim, states that he refused to walk under a very loose boulder in the mine shaft because he was afraid it would fall on him. "Tom" saw him and ordered him to go ahead to which Brantley refused. "Tom" then "threw an iron bar about one-half inch in diameter and six feet long at my feet, hitting me across them. I thought he had broken my insteps. When I stooped over to look at them, he hit me across the back with the same bar." (Ex 15).

As to Specification 29uuu (Ishizawa): Gerald Leo Anderson, the alleged victim, states that in August 1945 he was watching an air raid being made by thirteen American Navy dive bombers. "Tom" caught him watching these planes instead of working, whereupon he beat him across the back with a stick (Ex 5).

As to Specification 29vvv (Ishizawa): Charlie Choate, the alleged victim, states that, when he and the prisoners of war entered the mine, they were obliged to remove their hats and bow to the Japanese mine idol. Choate removed his hat, bowed, and said, "Hello Roosevelt." "Tom" understood what he had said and hit him with a yard-long stick on the top of his bowed head which sent him backwards at least six feet (Ex 29).

As to Specification 29www (Ishizawa): James L. Haynes, the alleged victim, states that in about May 1945 he was on a detail hauling large timber to be used in reinforcing the mine tunnels. Tanifuji was supervising this detail. When Haynes had difficulty raising a heavy timber to his shoulder, Tanifuji began beating him with a club about one and one-half inch in diameter until the stick broke. Tanifuji hit him with the stick approximately fifteen times across the hips and back (Ex 64).

As to Specification 29xxx (Ishizawa): John M. Samarripa, the alleged victim, states that in about March 1945, while running four loaded cars down a small grade out of the mine, he applied the brakes which did not hold, which caused the car to become derailed, throwing him off and rendering him unconscious. When he regained consciousness and stood up, a Japanese guard known as "The Boss" or "The Big Shot" approached him and hit him with his club and fist on the head causing a large bump (Ex 109).

As to Specification 29yvv (Ishizawa): Colonel Gaskill, who attended Orran E. Crandall in his last illness, states that on various occasions the Japanese beat Crandall and then took away his clothes and then confined him to the guardhouse overnight clad only in a shirt with no blankets. While in the guardhouse, Crandall was doused with buckets of cold water. While confined in the guardhouse, Crandall was fed only rice and water and was not issued any bed clothing.

Clifford E. Clegg states that on one occasion, when Crandall had stolen a fellow prisoner's of war lunch, Ishizawa knocked Crandall down with his fist and kicked him in the ribs.

Wilbur G. Cox states that nearly every Japanese in the camp or at the mine at one time or other beat Crandall. On another occasion, when Crandall's lunchbox was inspected, a Japanese guard found a stone in it because Crandall had eaten his lunch before starting out to work. The guard, taking the stone from Crandall's lunchbox, either threw it in Crandall's face or attempted to put it in Crandall's mouth. When Crandall returned from work that day, he was put in the guardhouse for about four days. This guardhouse was an open shed

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without any heat and in the wintertime the weather was below zero. Ishizawa ordered all of his clothes taken away from him and made Crandall sleep in the guardhouse each night and work in the mine during the day. Crandall spent fifteen days in the guardhouse and was returned to his barracks where he died about a week later (Ex 1, 2, 22, 31, 38, 43, 45, 52).

As to Specification 29zzzz (Ishizawa): James R. Maggard, the alleged victim states that in July 1945, while returning from work, he picked up a squash that was lying in the path and carried it into camp. When this squash was discovered, three Japanese guards beat him severely with clubs knocking him down four or five times. "When they had finished beating me, they tied the squash around my neck on a string and made me stand at attention all night." The next morning the same guards again beat him with clubs, knocking him down twice, whereupon Maggard went to work. That evening, upon returning to the camp, he was again beaten by the same guards who then beat him with sticks knocking him down four or five times. He was then forced to stand at attention until he collapsed. When he regained consciousness after about thirty minutes, these guards forced him to stand at attention the remainder of the night (Ex 36, 42, 43, 51, 75, 100, 109).

As to Specification 29aaaa (Ishizawa): Roland E. Nelson, the alleged victim, states that he was slapped several times by Ishizawa. He further states that while working at the mine he was severely beaten by a Japanese guard with his hands, fist and with the flat side of a small rock hammer and also with a hard tin hat which he wore in the mines. These beatings were of frequent occurrence and would last from five to ten minutes. Nelson further states that he still bears his scar from the gash received on his head (Ex 1, 13, 31, 67, 75, 86, 108, 124).

As to Specification 29bbbb (Ishizawa): Robert A. Clement, the alleged victim, states that "One morning in July 1945 I had a jacket stolen from my barracks. I at once reported it to the Japanese in their guardhouse and started making a row about it. When I came back into the barracks, someone had thrown the jacket back on my bunk. The Japanese guard became very angry for my having reported the theft. He started beating me with a club which looked like a pick handle and accompanied the beating with kicks in the shins. He continued this for a while and then started using his jiu-jitsu on me, throwing me all over the barracks. This beating lasted for about thirty minutes." (Ex 32, 42).

As to Specification 29cccc (Ishizawa): While Franklin Aldridge and Marshall A. Barthiaume, the alleged victims, were on a log-moving detail in February 1945, they were being supervised by a Japanese guard known as "Long Tom". Because they were not working fast enough, "Long Tom" severely beat them. One of the victims, Franklin Aldridge, states that on 24 February 1945 a number of prisoners of war, including himself, were detailed to haul logs from a place back in the mountains to the sawmill at the mine. They used ropes to drag these logs up and down the hills. He was working with a prisoner of war, Barthiaume, who was even weaker than Aldridge. As a result they fell behind the main party. "Long Tom" then pushed his rifle butt in the face of Aldridge and hit Barthiaume over the back with his rifle knocking both of them down. He then pulled both of them up and again knocked them down, using his rifle like a baseball bat. The two prisoners of war were altogether hit four or five times with this rifle (Ex 1, 2, 4, 10, 26, 60).

As to Specification 29dddd (Ishizawa): Colonel Gaskill states that the Japanese in this camp had a large supply of Red Cross clothing in their warehouse, woolen shirts, underwear, sweaters, overcoats, woolen blankets, socks, G.I. shoes, caps, gloves, jackets, trousers, toilet articles, and sewing kits which were never issued to

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the prisoners of war, although the Japanese themselves used these woolen blankets as cushions in their offices. He also observed many military guards wearing G.I. shoes. When the Red Cross parcels were issued, they had already been opened and the candy, chocolate bars and cigarette rations were missing. On another occasion, when there was another issue of Red Cross boxes, the camp commandant would not release them to the prisoners of war unless a receipt was signed allowing the Japanese personnel in the camp to also have a box each. The prisoners of war had to accede to this request or they would not otherwise receive the Red Cross parcels intended for them. Ota, Kobavashi, Toda, and others were often observed smoking Old Gold cigarettes (Ex 1, 2, 5, 6, 8, 11, 12, 18, 22, 28, 33, 34, 43, 48, 49, 51, 57, 58, 60, 72, 77, 82, 85, 86, 87, 89, 103, 108, 111, 115, 122, 124).

As to Specification 29e (Ishizawa): The Japanese guards at this camp carried bamboo clubs with which they frequently struck the prisoners of war for various reasons. The prisoners of war were also ordered and forced to stand at attention in the snow while scantily clad and on some occasions were forced to stand in this position holding buckets of water at arms' length. Even though prisoners of war were certified as being too sick to work, they were forced to work in the mines as a certain quota of prisoners of war had to report to work at the mine each day. Beatings were daily occurrences at the camp and at the mine. There were Japanese military guards at the camp, and they accompanied the prisoners of war to the mine and guarded them there. There were many Japanese civilian guards known as "honchos" who reported to camp each morning to escort the prisoners of war to the mine and back to the camp after the day's work. The prisoners of war were in a starved, weakened condition and if they lagged in the march to and from the mine, they were frequently beaten by the Japanese guards with the bamboo clubs which they carried (Ex 1, 8, 10, 12, 13, 15, 18, 19, 21, 22, 24, 26-30, 33, 34, 36, 38, 41, 46, 49, 50, 52, 53, 56-58, 60, 62, 64, 65, 67, 68, 72, 74, 76, 79, 81, 83-87, 89, 92, 94, 98, 99, 101, 104, 108, 111, 115, 118, 119, 122, 124).

(Ishizawa). As to Specification 1 (Takasago): See Specification 29k

(Ishizawa). As to Specification 2 (Takasago): See Specification 29l

(Ishizawa). As to Specification 3 (Takasago): See Specification 29m

(Ishizawa). As to Specification 4 (Takasago): See Specification 29n

(Ishizawa). As to Specification 5 (Takasago): See Specification 29o

(Ishizawa). As to Specification 6 (Takasago): See Specification 29p

(Ishizawa). As to Specification 7 (Takasago): See Specification 29q

(Ishizawa). As to Specification 8 (Takasago): See Specification 29r

(Ishizawa). As to Specification 9 (Takasago): See Specification 29s

29t (Ishizawa). As to Specification 10 (Takasago): See Specification

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29u (Ishizawa). As to Specification 11 (Takasago): See Specification

29v (Ishizawa). As to Specification 12 (Takasago): See Specification

29w (Ishizawa). As to Specification 13 (Takasago): See Specification

29x (Ishizawa). As to Specification 14 (Takasago): See Specification

29y (Ishizawa). As to Specification 15 (Takasago): See Specification

29z (Ishizawa). As to Specification 16 (Takasago): See Specification

(Ishizawa). As to Specification 1 (Ota): See Specification 29n

As to Specification 2 (Ota): Not Guilty.

(Ishizawa). As to Specification 3 (Ota): See Specification 29bb

As to Specification 4 (Ota): Not Guilty.

(Ishizawa). As to Specification 1 (Koiwa): See Specification 29cc

(Ishizawa) and As to Specification 2 (Koiwa): See Specification 29dd
Specification 4 (Ishizawa).

(Ishizawa). As to Specification 3 (Koiwa): See Specification 29n

(Ishizawa). As to Specification 4 (Koiwa): See Specification 29ee

(Ishizawa). As to Specification 5 (Koiwa): See Specification 29ff

As to Specification 6 (Koiwa): Not Guilty.

(Ishizawa). As to Specification 7 (Koiwa): See Specification 29hh

As to Specification 8 (Koiwa): Not Guilty.

(Ishizawa). As to Specification 9 (Koiwa): See Specification 29jj

(Ishizawa). As to Specification 10 (Koiwa): See Specification 29kk

(Ishizawa). As to Specification 11 (Koiwa): See Specification 29ll

(Ishizawa). As to Specification 12 (Koiwa): See Specification 29mm

(Ishizawa). As to Specification 13 (Koiwa): See Specification 29nn

(Ishizawa). As to Specification 14 (Koiwa): See Specification 29oo

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(Ishizawa). As to Specification 15 (Koiwa): See Specification 29pp

29ddd (Ishizawa). As to Specification 16 (Koiwa): See Specification

As to Specification 17 (Koiwa): Not Guilty.

(Ishizawa). As to Specification 18 (Koiwa): See Specification 29qq

(Ishizawa). As to Specification 1 (Sato): See Specification 29tt

(Ishizawa). As to Specification 2 (Sato): See Specification 29uu

(Ishizawa). As to Specification 3 (Sato): See Specification 29vv

(Ishizawa). As to Specification 4 (Sato): See Specification 29ww

(Ishizawa). As to Specification 5 (Sato): See Specification 29xx

(Ishizawa). As to Specification 6 (Sato): See Specification 29yy

(Ishizawa). As to Specification 7 (Sato): See Specification 29zz

(Ishizawa). As to Specification 8 (Sato): See Specification 29aaa

(Ishizawa). As to Specification 9 (Sato): See Specification 29bbb

(Ishizawa). As to Specification 10 (Sato): See Specification 29ccc

(Ishizawa). As to Specification 11 (Sato): See Specification 29ddd

(Ishizawa). As to Specification 12 (Sato): See Specification 29eee

(Ishizawa). As to Specification 13 (Sato): See Specification 29fff

(Ishizawa). As to Specification 14 (Sato): See Specification 29ggg

As to Specification 15 (Sato): William Osgood, the alleged victim, states that about 25 April 1945 he was beaten by "Joe Louis" for not working fast enough. "Louis" struck him in the face with his open hand and then hit him on the head with a carbide lamp (Ex 94. See also Specification 29eeee (Ishizawa)).

As to Specification 16 (Sato): "Joe Louis" slapped and beat about every prisoner of war that worked in the mine and that was at the prisoner of war camp. He would frequently hit the prisoners of war across the buttocks with a hammer handle. This practice was a regular routine. He also frequently used a hammer with which to strike the prisoners of war. He was known as the worst guard because he delighted in striking prisoners of war with his club. (See Specification 29eeee for exhibits).

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(Ishizawa). As to Specification 1 (Sasaki): See Specification 29hhh
(Ishizawa). As to Specification 2 (Sasaki): See Specification 29iii
(Ishizawa). As to Specification 3 (Sasaki): See Specification 29jjj
(Ishizawa). As to Specification 4 (Sasaki): See Specification 29kkk
(Ishizawa). As to Specification 5 (Sasaki): See Specification 29lll
(Ishizawa). As to Specification 6 (Sasaki): See Specification 29mmm
(Ishizawa). As to Specification 7 (Sasaki): See Specification 29nnn
(Ishizawa). As to Specification 8 (Sasaki): See Specification 29ooo
(Ishizawa). As to Specification 9 (Sasaki): See Specification 29ppp

As to Specification 10 (Sasaki): Sasaki, known as "The Weasel" or "The Snake", was in charge of loading coal cars. When the prisoners of war would not work fast enough, he would throw large chunks of coal at them. He carried a bamboo stick and would beat prisoners of war with it at the slightest pretense. He continually beat and otherwise mistreated prisoners of war under his supervision (Ex 7, 26, 29, 34, 40, 43, 44, 45, 52, 57, 58, 60, 77, 79, 84, 94, 99, 101, 118, 111).

As to Specification 1 (Tanifuji): See Specification 29qqq (Ishizawa).

As to Specification 2 (Tanifuji): See Specification 29qqq (Ishizawa) and Specification 29rrr (Ishizawa).

As to Specification 3 (Tanifuji): See Specification 29sss (Ishizawa).

As to Specification 4 (Tanifuji): See Specification 29ttt (Ishizawa).

As to Specification 5 (Tanifuji): See Specification 29uuu (Ishizawa).

As to Specification 6 (Tanifuji): See Specification 29vvv (Ishizawa).

As to Specification 7 (Tanifuji): See Specification 29www (Ishizawa).

As to Specification 8 (Tanifuji): Seymour Hoffenberg, the alleged victim, states that in the summer of 1945, while working in the mine operating a drill, "Tom", the Japanese civilian supervisor, said he was not working fast enough. "Tom" then began hitting him on the face and body with his fists. This beating lasted for about ten minutes and Hoffenberg was badly bruised as a result of this beating (Ex 46, 68).

As to Specification 9 (Tanifuji): Tanifuji would frequently hit prisoners of war with a hammer when he caught them smoking

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while working. When the prisoners of war did not work fast enough to suit him, he would beat, slap, and kick them. He constantly used a bamboo stick with which to strike the prisoners of war. "Tom" would make it a practice to hit POWs daily." On 14 August 1945, when it was learned that the Japanese had surrendered, Tanifuji hit two prisoners of war on the head with an iron rod or pipe knocking both of them unconscious (Ex 3, 5, 8, 10, 13, 29, 30, 36, 43, 52, 62, 64, 67, 77, 79, 81, 83, 86, 109, 110).

Sgt Elwood F. Burke, being sworn, testified that he was a prisoner of war at Camp 3-B Sendai Area, Hosokura, Japan, from 28 January 1945 to 13 September 1945 (R 136). He identified Ishizawa as camp commander at this prisoner of war camp. He further identified Koiwa as the interpreter and Ota as a member of the camp staff (R 137). He identified Tanifuji as being a civilian guard in charge of drillers at the mine where the prisoners worked. Sato known as "Joe Louis" was also a civilian guard. Sasaki was another civilian guard who worked in the coal yard at the mine and Takasago was a civilian guard who worked in the mess at the prisoner of war camp (R 138). Ishizawa once hit the witness with his fist and knocked him against the wall (R 139). The witness saw Ishizawa hit a British prisoner of war two or three times with the flat of his hand (R 139). When Ishizawa came to the barracks at night to inspect the hands of the prisoners of war and found that they were dirty he would hit them on the hands with a stick (R 139). Also Ota frequently beat prisoners of war and his reputation was to avoid him as much as possible (R 140). Koiwa's job was to interpret and also to make up the work details. Prisoners of war were classified into A, B, C, D, E, F work groups (R 140). Those in A group were classified as being the strongest and worked in the mines. Prisoners of war in B group worked in the coal yard at the mine. C group prisoners of war worked in the blacksmith shops. D group worked at the mine but above ground. Prisoners of war in E group were given light details and those in F group stayed inside the camp (R 141). A certain number of prisoners of war had to work at the mine each day and Koiwa would pull prisoners of war out of one group and put them in another (R 141). The putting of prisoners of war into a work class would take place in the morning at the camp when the prisoners of war formed to go to work (R 142). All the accused except Takasago would be at these morning formations putting prisoners of war into a work group (R 143). Koiwa's reputation was to avoid him as much as possible. Takasago worked in the mess and his reputation amongst the prisoners of war was to avoid him (R 144). Sasaki was a civilian guard who was in charge of the coal yard at the mine. On one occasion when the witness and four other prisoners of war were working under Sasaki they caused an ore car to be derailed. While trying to get it back on the rails Sasaki came over and hit two or three of the prisoners of war several times with a stick two and one-half feet long and about one inch wide (R 144). He hit the prisoners of war on the legs and back while they were bending over trying to lift the car. One of the prisoners of war was McGee (R 144). Sato, who was known as "Joe Louis", was a civilian guard who came to the camp in the morning to escort the prisoners of war to work at the mine and escort them back to the camp at night (R 145). Sato once hit the witness on the head, in August 1945, at the mine with a stick about three or three and one-half feet long and about one and one-half inch in diameter, which all the guards carried (R 146). Sato's reputation among the prisoners was to avoid him as much as possible (R 146). Tanifuji was in charge of the drillers at the mine and his reputation amongst the prisoners of war was to avoid him (R 147). Tanifuji once struck the witness with a stick which knocked him down a bank about twenty feet deep. This happened three times (R 147). The witness was hit on the head (R 148). Burke further testified that he once observed a prisoner of war in the guardhouse who was made to stand behind the guardhouse with a piece of iron in his hands held above his head and if he lowered his hands the guards would poke him with sticks. He also observed two prisoners of war standing at the camp gate with pumpkins tied around their necks and on their heads. One of the prisoners of war

was Maggard (R 148). Upon being questioned by the commission the witness testified that sometimes the guards themselves would change the prisoners of war from one work class to another (R 150). Koiwa would also instruct Col Gaskill or Capt Dean to put a prisoner of war into a higher work class (R 151).

The commission upon motion of the prosecution took judicial notice of Case # 119, United States of America vs Tetsuo Kobayashi (R 154).

At the close of prosecution's case defense moved for a finding of Not Guilty against all the accused, which motion was denied (R 189).

b. For the Defense:

Upon motion of defense the commission took judicial notice of pages 12 to 112 of Case No. 119 Supra, which is the testimony of Col Gaskill. Defense counsel read these pages into the present record. Col Robert C. Gaskill, who is an experienced surgeon in the Medical Corps of the United States Army, testified that he was a prisoner of war at the Prisoner of War Camp # 3-B, Sendai Area, from 28 January 1945 to the end of the war (R 192). There were about 300 prisoners of war at this camp which number included some British prisoners of war (R 193). In his opinion Kobayashi was not an experienced doctor (R 194). There was always a scarcity of medicine and he would have been able to use ten times the amount he had on hand to treat the prisoners of war, and he constantly asked Kobayashi to obtain more (R 196). At the end of the war three large Red Cross boxes filled with medicine were given to him. They evidently had been stored somewhere as the paper was all mildewed (R 197). Kobayashi frequently put prisoners of war into a higher work category after he (Gaskill) had put them in a lower one (R 199). A quota of 85% of the prisoners of war had to be sent to the mines to work (R 202). Koiwa would often take prisoners of war out of a sick call line-up and send them to the mines to work (R 202). Prisoner of War Allen died because of neglect by Kobayashi to provide suitable hospital facilities. When Gaskill told him this he was answered by Kobayashi who said, "Better all prisoners of war die." (R 204). Col Gaskill further testified that he could have saved the foot of Prisoner of War Wilbur Cox if surgery had been performed on time but Kobayashi denied him the use of the camp hospital (R 210). Col Gaskill also observed Kobayashi eating vitamin B-1 tablets that the prisoners of war had brought with them from Tokyo (R 211). Large quantities of Red Cross supplies which were at this camp were never issued to the prisoners of war (R 211). Upon being cross-examined Col Gaskill further testified that Koiwa as well as others of the Japanese staff and especially Takasago were forcing sick prisoners of war to work (R 235). Gaskill made out the death certificates of those prisoners of war who died and they were translated into Japanese by Kobayashi (R 235). Koiwa and Ishizawa suggested that non-ambulant patients be taken to the Japanese Military Hospital at Maioaka (R 241). Kobayashi was not responsible for any deaths that took place in February at the camp because of withholding of medicines available or hospital facilities available (R 244). Kobayashi did not withhold any medicines that were available (R 247). Col Gaskill knew Lt Ishizawa as being the camp commandant and Kobayashi was second in command as a Cadet Officer. Capt Dean, a British prisoner of war, was the prisoner of war camp leader and complaints of the prisoners of war were made through him. There were seven prisoner of war officers in this camp (R 255). Each prisoner of war officer complained to Lt Ishizawa about the lack of food and Col Gaskill mostly complained to Lt Ishizawa through Kobayashi about the lack of medicine (R 256). Complaints were also frequently made about inadequate living quarters and clothing and Ishizawa then issued paper to patch over the cracks in the barracks and about 10% of the Red Cross clothing (R 257). When complaints were made to Ishizawa about the lack of coal he answered that coal was being issued according to the Japanese Army Supply Table (R 257). When complaints were made about the Red Cross clothing

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not being issued to the prisoners of war Ishizawa said, "It is the property of the Imperial Japanese Government. It is captured property" (R 257). Col Gaskill and Kobayashi worked together very frequently and Gaskill never observed Kobayashi beat a prisoner of war or strike one nor did he ever hear of Kobayashi giving an order to strike or beat a prisoner of war (R 258). If such had been the case Gaskill would have heard of it (R 260). When Gaskill was treating Cox he was not denied anything that was in the camp hospital (R 263). The facilities at the camp hospital were always available to Gaskill (R 269). Any medicine and equipment at the camp hospital were made available to Gaskill (R 270). Upon occasions Kobayashi got medical equipment from the mine hospital but Gaskill did not know if he had authority or not, even though Gaskill contends that Kobayashi is responsible for inadequate equipment at the camp hospital (R 273). Kobayashi had the power not to send any prisoner of war to work if he saw fit (R 275). Kobayashi was responsible for at least the issuance of the Red Cross drugs present in the camp (R 275). Kobayashi on occasion dictated to the camp commandant as Kobayashi was the leader and Ishizawa the follower. Ishizawa was apathetic or lackadaisical (R 278).

Defense then read the testimony of Dr. Masaharu Sonoda in case No. 119, starting at page 347 of said record. Sonoda was a doctor at the mine hospital (R 280), who worked for the Mitsubishi Mining Company (R 281). There were thirty-two rooms in the one-story mine hospital which included eleven sick wards, containing seventeen beds (R 282). Four of these beds were for tuberculosis patients and the others were for general patients. The personnel at this mine hospital was composed of a 70-year old Japanese doctor, three assistants, one pharmacist, twelve nurses, one midwife, eleven student nurses, five office workers and orderlies (R 283). They occupied four rooms in the hospital. There was a stove in the clinic but not in the sick wards which had a brazier (R 284). Before the prisoners of war came to this camp Ishizawa and Kobayashi had talked to him about prisoner of war management and he told them he would aid as much as possible within regulations pertaining to prisoners of war (R 285). He could not hospitalize prisoner of war bed patients in the mine hospital as there was no room because this hospital was treating for about 9,000 people including company employees, members of their families, and the civilian population in the vicinity (R 285). He would take care of emergency prisoner of war cases. The beds in the camp hospital sick wards were much cleaner than those at the mine hospital (R 286). There was a stove in each sick ward at the camp hospital and the coal was furnished by the mine which made the sick wards warm (R 286). Except for the operating room the camp hospital was better than the mine hospital as it was warmer and it had better lighting (R 286). He first examined the prisoners of war on 8 February 1945 (R 286), at which time forty-six prisoners of war were determined fit to work either by Ishizawa or Kobayashi (R 287). The mine hospital was not under any obligation to supply medicine to the camp hospital although it did supply medicine and medical supplies at the request of Kobayashi (R 288). These requests were made on several occasions by Kobayashi and Sonoda gave him what he could even though the mine hospital was lacking its own medicines and medical supplies (R 288). Ishizawa or Kobayashi did not have authority to order him to hospitalize a prisoner of war in the mine hospital (R 290). There was no room to operate on Prisoner of War Allen in the mine hospital but he loaned a large needle to Kobayashi to drain off pus from Allen's chest (R 291). Kobayashi asked him to come to the camp hospital to perform an operation on Allen but administrative detail made it impossible (R 293). He performed an amputation on Cox's left leg which was not an emergency but necessary because of Cox's overall physical condition (R 295). For the operation he gave Cox a spinal anesthesia plus a local anesthesia. He administered the same amount of anesthesia to Cox as he would have to a Japanese.

Prisoner of War Aldridge broke his right thigh at the mine and was taken directly to the mine hospital where Sonoda put a

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cast on it (R 298). X-ray pictures showed that it was not a complete fracture but the bone was bent. While convalescing at the camp lice was present in his cast but he, Sonoda, couldn't do anything about that as he had advised the camp to keep Aldridge's leg as clean as possible (R 299). After the first cast broke Sonoda at the request of Koboyashi gave him the plaster to make another (R 299).

Sgt Elwood F. Burke, upon being called by the defense as a witness testified that while he was a prisoner of war at Sendai Prisoner of War Camp 3-B he never saw a Japanese strike a prisoner of war with his fist like a punch. He testified that they struck the prisoners of war with the flat or heels of their hands in a swinging motion (R 316). This was not a straight punch (R 316). On cross-examination Burke further testified that he saw camp personnel strike prisoners of war with sticks. He himself was struck with a hammer. He saw prisoners of war struck with closed fist and open palm very often at work formations and during inspection of mess boxes. This happened more than once a week (R 317). These beatings with sticks by mine guards and military guards were sometimes done in the presence of Ishizawa (R 318). On redirect examination the witness further testified that when the prisoners of war lined up for work they wore work helmets (Ex A). These work helmets were plastic to which were inserted cloth caps (R 318). The prisoners of war also wore another headdress which was made of cloth with padding on top. The plastic helmets were worn only by prisoners of war who worked in the mine (R 319). The witness stated that the hammer with which he was hit at the side of the head had a hammer head about five inches long with a handle ten or twelve inches long (R 320).

Defense witness Tasobei Chonan, after having his rights as a witness explained and upon being sworn, testified that he had been in the Japanese Army and was assigned to Prisoner of War Camp, Sendai, 3-B, on 28 January 1945. He was a Sergeant Major in the Intendence Corps which had to do with the kitchen, procurement of fuel, coal, and payment of officers and enlisted men (R 321). Probation Officer Ikada was his superior and he had working under him Saito, Takasago, Kato, and Suzuki (R 321). Takasago started working in the camp kitchen under him in April 1945 where he worked for about a month when he was replaced by Suzuki (R 321). The witness further testified that Japanese Army regulations for prisoners of war state that prisoners of war doing heavy manual work would receive 705 grams of food. Those doing light work would receive 600 grams, patients 450 grams and officers 350 grams. These rations were supplied to the prisoners of war and the Japanese soldiers got 600 grams per day. These rations were supplemented with flour, potatoes, cabbage, onions, coffee, bean milk, fish and meat. The meat which came from the Tsukidate Slaughter House was composed of beef, horse, and pig (R 322). The prisoners of war got meat twice a month and fish once a week and vegetables every day (R 323). The Japanese Army supplied 8 tons of coal per month to this prisoner of war camp (R 324). There were two stoves in each prisoner of war barracks and seven or eight kilos of coal per day were supplied to each stove. One kilogram is 2.2 pounds (R 324). Takasago requested two or three times to be transferred from the kitchen so the witness replaced him with Suzuki. The witness never saw Takasago strike, slap, or mistreat a prisoner of war (R 324), nor did he ever see Ishizawa strike, slap, or mistreat a prisoner of war, nor either did he see Ota or Koiwa strike, slap, or mistreat a prisoner of war. He further testified that he received two and one-half Red Cross parcels from Ota who told them that they were given to the Japanese camp personnel by the prisoner of war officer as tokens of appreciation (R 325). Upon being cross-examined the witness further testified that he was at this prisoner of war camp from January to the end of the war. He was sick twice, two weeks in February and about twenty days in April as a result of falling on his head (R 326). After Takasago left the kitchen he was put in charge of clothing, and this clothing warehouse was the same as the food warehouse (R 327). After Takasago left the kitchen he still came in contact with prisoners of war (R 327). Each food ration was weighed

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and issued to the prisoners of war (R 327). The prisoners of war received more grams per day than the Japanese soldiers and other camp personnel (R 328). Of the side dishes of meat, fish, and vegetables the prisoners of war received less than the Japanese. Dog meat was also served to the prisoners of war (R 329). The witness was present at the morning work formations and he never saw a prisoner of war struck nor did he ever see a prisoner of war standing at attention holding weights or with pumpkins hanging around his neck (R 329). Upon being questioned by the commission the witness stated that when meat was brought to the camp there was no discrimination as to who would get the meat and who would get the internal organs (R 330).

Defense witness Kazuo Ikeda, after being advised of his rights as a witness was sworn and testified that he was at the Hosokura camp from 24 January 1945 as intendant probationary officer which job took care of the food, clothing, pay, buildings and furniture at the camp (R 331). Ishizawa's instructions in reference to treatment of the prisoners of war was to treat them kindly and not allow them to come into contact with Japanese or Korean laborers (R 332). These instructions were given by Ishizawa at two meetings, one held at the camp and one held at the mine, and Ishizawa never authorized the maltreatment of prisoners of war (R 332). The staple foods given to the prisoners of war were rice, barley, wheat, soy beans, and sorghum. Meat, fish, and vegetables were served to the prisoners of war as side dishes (R 332). There was no difference in the amount of food allotted to the prisoners of war and that allotted to the Japanese (R 332). It was very difficult to get meat (R 333). There was no meat issued to the camp in February and 200 kilos were issued in March. The witness left the camp in April (R 334). Of the meat, fish, and vegetables -- which were very difficult to obtain -- the prisoners of war and Japanese personnel received the same amount. The prisoner of war camp could not secure eggs or milk for the prisoners of war (R 334). When the prisoners of war arrived at this camp they were in bad shape physically. When the Red Cross boxes containing food were given to the prisoners of war these boxes would not be previously opened (R 335). On cross examination the witness further testified that the opening of Red Cross boxes was done in front of the prisoners of war. These boxes were opened to see that they did not contain any secret orders (R 335). The cigarette packages were removed and then loose cigarettes were distributed to the prisoners of war which was all done in their presence (R 336). The Red Cross boxes were stored in a warehouse to which Ota had the key. Red Cross clothing was also stored in this warehouse and this clothing arrived at the camp after 10 March 1945 (R 337). This clothing included Red Cross blankets which were distributed to the prisoners of war when the Red Cross boxes were distributed (R 338). The witness never saw any Japanese personnel wearing Red Cross clothing at the camp (R 339). At the meeting in the mine office when Ishizawa gave instructions in reference to treatment of prisoners of war the accused, civilian mine guards, were not present (R 340). Ishizawa's instructions were that if a prisoner of war violated a regulation he would be punished the same as a Japanese soldier which includes striking (R 340).

Defense witness Denzaburo Toda, after being advised of his rights as a witness, was sworn and testified that he was formerly a Superior Private in the Japanese Army assigned in the latter part of January 1945 to Hosokura Prisoner of War Camp as a medical corpsman. He was at the camp when the prisoners of war arrived and they were all very thin (R 341). The prisoners of war brought one box of medicines with them as there were none available at the camp at that time (R 342). Kobayashi was the Japanese medical officer and he went to the Sendai Army Hospital to get medicines for the camp and the witness brought them back (R 342). The prisoners of war were sent to work two weeks after they arrived in camp. Drs. Gaskill and Wilson examined all the prisoners of war every ten days. No camp hospital medicine, medical treatment or hospitalization was ever refused a prisoner of war.

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About one-third or one-fourth of the medicine requisitions to the Sendai Army Hospital were filled (R 343). Upon being cross-examined the witness further testified that his main job was doing microscopic studies but as none were available in the camp he had to borrow a microscope from the mine hospital (R 344).

Defense witness Gumpel Shimizu, after being advised of his rights as a witness was sworn and testified that he was a Japanese medical NCO at the Hosokura Prisoner of War Camp from 24 January 1945 to 2 June 1945. When he arrived at the camp there was no medicine available and he asked Medical Officer Kobayashi to get some from the Sendai Army Hospital (R 345). The prisoners of war brought their own medicines with them and Drs Gaskill and Wilson were allowed to freely use them (R 346). Each successive requisition for medicines was filled less and less by the Sendai Army Hospital (R 346). Medical Officer Kobayashi and the witness on trips to Tokyo brought back medicines with them. The witness requested vitamin tablets many times but these requisitions were never filled. When the prisoners of war arrived at the camp they were very thin. All available medicines, medical treatment and hospitalization were never denied the prisoners of war and Drs Gaskill and Wilson could go into the dispensary any time to obtain available medicine. The camp got all medicine that it possibly could. A physical examination was made of the prisoners of war before they were sent to work by Drs Kobayashi, Sonoda, Gaskill and Wilson. Ishizawa was present (R 347).

Defense witness Kajiro Akaike, after being sworn, testified that he worked for the Mitsubishi Mining Co. at the Hosokura Mine from January 1945 to August 1945 as acting chief of the labor section. Before the prisoners of war arrived the prisoner of war camp staff met at the mine for a conference. Present at this meeting were Ishizawa, Chonan, Ota, Koiwa, Shimizu, Toda, Kobayashi, and Ikeda from the camp. There were representatives from the company but the accused civilian guards were not present. Ishizawa instructed all present on the prisoner of war regulations concerning their treatment, use as laborers and sanitation. The main points were to treat the prisoners of war humanely and extend to them the spirit of love, try to prevent any accidents, to increase the production by having as many prisoners of war as possible work at the mine, prevent escape and fights among the prisoners of war, prevent sabotage, prevent contacts especially with Korean laborers, student service workers, and women, to distribute the prisoners of war equally on various jobs, give safety instructions, issue gloves, instruct prisoners of war in case of air raids, not to allow the prisoners of war to use Japanese latrines or Japanese laborers to use prisoner of war latrines (R 352). These instructions were later relayed to the company employees (R 353). Before the prisoners of war arrived the work sites where they would be worked were inspected by Lt Col Odashima and Capt Nemoto (R 353). It was decided to use the prisoners of war at the Nikanme instead of the Kanton work site because it was safer at Nikanme (R 354). The prisoners of war worked eight hours, which included one hour for lunch and two short rest periods in the morning and the afternoon. Before they started to work at the mine they were fully instructed in the particular jobs assigned to them (R 354). The witness further stated that in his position as acting chief of the labor section he never received any reports or complaints from the prisoners of war that the working conditions at the mines were dangerous nor did he ever receive any report from mine company employees that they had mistreated prisoners of war (R 355). The witness submitted extracts of the original mine company records showing the list of foods and medicines supplied by this company to the camp, Defense Exhibit B, (R 356). On cross-examination the witness stated that the company guards selected to work with the prisoners of war were picked from the employees already working with the company (R 358). When these guards were picked their former military background was considered in selecting them (R 358). When these guards were picked the names were sent to Ishizawa and he approved them (R 358).

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These guards were instructed in their duties as guards by Ishizawa, the camp commander (R 359). The camp commander had authority to correct such guard if he did anything wrong (R 360). If a guard proved unsatisfactory Ishizawa could send him back to the company (R 360). These guards carried sticks about a meter long and one and one-half inch in diameter (R 361). These sticks were to be used only to prevent escape and to break up any prisoner of war secret gathering (R 361). The regulations pertaining to the use of the stick were mimeographed and given to the guards for their study. When a request for supplies was submitted by the camp to the mine it was handled by the witness' labor section which fulfilled this request by buying on the market (R 368), and the mine paid the expense. This food was intended for the use of the prisoners of war but its distribution rested with the camp commander (R 368). On redirect examination the witness stated that the prisoner of war regulations regarding the hiring of civilian guards came from the Tokyo main camp, and in these same regulations it states that if a guard is not diligent in his duty the employer, in this case the mine, was authorized to give the guard "severe punishment" (R 370).

The accused Nisa Tanifuji, after being fully advised of his rights was sworn and testified as a witness in his own behalf. He testified that he was forty-two years of age, married, had four children and that he finished two and one-half years of primary school (R 375). He formerly served in the Japanese Army and was discharged on 18 April 1939. He commenced work for the Mitsubishi Mine Company on Hosokura in May 1936 as a driller. He was employed at the Nikanme work site of the Mitsubishi Mine as driller when the prisoners of war commenced working there. About ten or thirteen prisoners of war were assigned under him and after a period of instructing them as drillers he then looked after them as a company guard. He remembered three prisoners of war by their numbers. They were 52, 65, 249 (R 376). As a company guard he carried a stick about one meter long and about one and one-half inch in diameter. He did not carry a mine hammer (R 377). He did not know the names of the alleged victims in Specifications 1 to 8 inclusive, wherein he is charged with mistreating them. He denied having kicked any prisoner of war but did admit that he once slapped a prisoner of war (R 377). On one occasion in July he had a detail of prisoners of war carrying cans of carbide to the mine. Three of the prisoners of war threw their cans into a ditch containing water. When Tanifuji discovered this he slapped each of the three prisoners of war one time each (R 378). He denied ever striking a prisoner of war with an iron bar, with his fist, or with a mine hammer (R 378). On cross-examination the accused stated that the time he slapped the three prisoners of war they were inside the mine (R 380). When he reported to the prisoner of war camp in the morning to escort the prisoners of war to work they were in formation and he denied assisting in the checking of the prisoner of war lunch boxes (R 382). He denied striking John M. Samarrippa mentioned in Specification 3, and he denies the statements made by said alleged victim in Exhibit 109 that "Tom" struck him when he found that part of his (Samarrippa's) lunch had already been eaten. He denied striking Gerald Lee Anderson, Specification 5, because Anderson stood to watch Allied planes during an air raid (R 382). He also denied striking James L. Haynes, Specification 7, while Haynes was holding timbers to reinforce the tunnels as he had nothing to do with timbering but was always in charge of drillers (R 382). He also denied striking prisoner of war Choate, Specification 6, for making a remark before bowing to a Japanese idol which the prisoners of war were required to do before entering the mine. He also denied throwing an iron bar at prisoner of war Brantley, Specification 4, when Brantley refused to walk under a loose bolder in the mine shaft. He also denied striking said prisoner of war with this iron bar (R 384). He also denied ever striking prisoner of war George Fox, Specification 1 and 2, on an occasion of passing evidence of damage caused by Allied bombing (R 385). He remembered prisoners of war No. 52, 65, and 249 as being good drillers but upon having their names mentioned he did

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not recall them by name (R 385, 386).

Accused Heikichi Sato, after being fully advised of his rights, was sworn and testified as a sworn witness in his own behalf. He testified that he was forty-seven years old, married and has three children and received two years of elementary school training. He had been in the Japanese Army and was discharged in 1939 (R 387). He first started to work for the Mitsubishi Mines at Hosokura from February 1927 and was working in these mines from January 1945 until the end of the war. He worked in the timbering section of the mine and when the prisoners of war commenced working there, he was appointed as a company guard on about 28 January 1945 and continued in said capacity until the end of the war with no additional duties (R 388). He denied ever striking any of the prisoners of war mentioned in the specifications against him, but did admit striking three prisoners of war. He struck one of the prisoners of war for defecating at the work site. He slapped him lightly with his open hand (R 388). On another occasion he struck a prisoner of war, but this was at the request of ten other prisoners of war because this particular prisoner of war had stolen the lunches of those other ten prisoners of war (R 388). He struck this offender by slapping him, and later in the evening he got eleven rice balls from the company and gave them to the prisoners of war (R 389). On the other occasion when he struck a prisoner of war it was the same one and for the same reason as mentioned above (R 389). He denied ever striking a prisoner of war with his fist, or with a stick, or with a mine hammer, or by kicking (R 389). He further testified that when the prisoners of war approached the mine they were supposed to take off their hats and bow to the Japanese idol and when a prisoner of war did not take off his hat he would use the stick that he carried to remove the prisoners of war cap, but he did not strike the prisoner of war in removing the cap. He denied ever striking a prisoner of war with a mine hammer (R 389). He received instructions from the officials of the mining company in regard to treatment of prisoners of war and these instructions were to prevent escape of the prisoners of war and not allow them to go near dangerous places. He was told at a meeting held in the company conference room that a company guard could strike any offender amongst the prisoners of war after letting the offender know his offenses (R 390), and making the offender understand why he was being punished (R 390). On cross-examination the accused further testified that he called for the prisoners of war at the camp in the morning, escorted them to the mine and escorted them back to camp at night. He guarded the prisoners of war who pushed their cars and who were assigned to transportation. These prisoners of war worked inside the mine. These prisoners of war were given carbide for their lamps and when they left the mines they were searched to see if they were taking any carbide with them (R 391). He denied carrying a hammer with him and denied striking Louis Curtis, Specification 10, with his hammer because Curtis was not working fast enough (R 392). He also denied ever striking Seymour Hoffenberg, Specification 3, because he found carbide in Hoffenberg's pocket (R 393). He denied also ever striking any prisoners of war in the prisoner of war camp (R 393). He also denied ever striking Samuel Gribble, Specification 8, with a ballpeen hammer when Gribble asked him for more carbide (R 393). He testified that when prisoners of war were pushing their cars and they became derailed the prisoners of war would not be punished for these instances (R 394). On such occasions the prisoners of war would have to put the cars back on the tracks and reload them and he never struck them to expedite their work (R 394). He does not recall Andres Ramos (Ex 14) who states in Exhibit 102 that he was struck by the accused for stealing some lunch and had one of his teeth loosened. He admitted striking the prisoner of war for stealing the lunch of other prisoners of war but not so severely as to loosen his teeth (R 394). Accused, Sato, further testified that in the Specification wherein he is charged with striking Nelson and splitting his head it was not he who struck Nelson but one of the work supervisors. He also denied that he ever struck a prisoner of war with a pick handle,

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and that he ever used a hammer or pick while in the mine. He further denied ever hitting a prisoner of war with a broom between the eyes. He further testified that at the end of the war he gave a chicken to Sergeant Ota as a present to the camp without obtaining the consent of the camp commander (R 414, 415).

The accused, Koshio Sasaki, after being fully advised of his rights was sworn and testified as a sworn witness in his own behalf. He testified that he was thirty-seven years old, married, had two children and was graduated from the higher primary school. He was never in the Japanese Army. He first started working for the Mitsubishi Mining Company at Hosokura in January 1939 and worked there continuously until after the war. He first came in contact with the prisoners of war at this mine in the first part of April 1945 when five or six prisoners of war worked under him in the procurement section (R 395). The largest number of prisoners of war that worked under his supervision at any one time was six and he did not know the names or numbers of these prisoners of war. He did not recall the names of the prisoners of war named in Specification 1 to 9 inclusive against him. He admitted striking three prisoners of war. One of the prisoners of war that worked for him had dysentery and went to the latrine very often but in most cases instead of going to the latrine he would hide and rest so as not to be on the job. The accused advised this prisoner of war not to continue this practice. The prisoner of war, however, persisted so the accused tapped his shoulder a few times with his guard stick. On another occasion he caught a prisoner of war pilfering rice sacks and he slapped this prisoner of war lightly. On another occasion when he was escorting prisoners of war back to camp who were carrying sacks of coal he apprehended one who dumped half of his sack of coal, whereupon the accused slapped him lightly. The accused further testified that other than the times he admitted striking three prisoners of war he did not strike, slap, beat, or mistreat a prisoner of war (R 396). He denied ever striking a prisoner of war with an iron bar and if it so stated in his questionnaire (Ex 130) it is an error. He further testified that in his instructions, when he became a company guard, he was told that if a prisoner of war did not obey his order he could slap the prisoner of war according to the Japanese Army custom (R 397). He also testified that if his questionnaire states he became a company guard in February 1945, it is an error as he became a company guard in the early part of April 1945 (R 397). On cross-examination he denied ever striking any prisoner of war inside the camp. He denied ever striking Frank Perry, the alleged victim in Specification 1, with a pick handle and knocking him unconscious (R 400). He also denied ever striking Arthur Maki, Specification 9, to the extent that blood flowed from cuts Maki received (R 400). He also denied ever striking Ernest Bales, Specification 3, when Bales took his shirt off while shoveling coal without asking the permission of the accused (R 401). He further stated that he gave cigarettes to the prisoners of war and also salt and some miso paste and also allowed the prisoners of war to warm their lunches and also boil the hot water for their tea (R 401).

Accused Yasushi Takasago, after being fully advised of his rights was sworn and testified as a sworn witness in his own behalf. He testified that he was twenty-eight years old, single, and a graduate from elementary school. He entered the Japanese Army on 15 December 1941 and was medically discharged September 1943 with tuberculosis (R 403). He was then hospitalized and was discharged from the hospital on 8 March 1945. He started to work with the Hosokura Prisoner of War Camp on 22 March 1945. When he commenced employment at the mine he worked as office assistant to Chonan until the end of May 1945 and from 1 May 1945 until the middle of July 1945 he worked in the camp kitchen. He cooked for the Japanese personnel and the prisoners of war cooked for the prisoners of war. After the middle of July he worked under Sergeant Ota, taking care of the clothing. He left the camp two or three times a month to get meat and vegetables for the

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camp (R 404). While he worked in the kitchen about nine prisoners of war also worked there and he recalled only one by name. The name was "Toni Rushalski". Upon being shown the names of the alleged victims in Specifications 1 to 15 inclusive, he remembered only two names, James Newell and Chamberlin mentioned in Specifications 5 and 6. He admitted that he slapped James Newell. He slapped Newell about one or two times on the side of the face for breaking some window glass (R 406). He did not strike him with sufficient force to knock him to the ground (R 407), and this incident took place on 7 August 1945. During the middle part of June the prisoner of war kitchen chief informed him that Chamberlin had stolen coal from the kitchen and when the accused requested Chamberlin to return the coal Chamberlin did not, so the accused slapped him once (R 407). The accused admitted striking an unknown prisoner of war on the forehead with a bamboo stick when he apprehended this prisoner of war attempting to pilfer food from the kitchen (R 407). The accused also admitted striking three barracks leaders with a bamboo stick when they returned unclean mess buckets to the kitchen. The accused insisted on these clean mess buckets to prevent dysentery (R 407). He struck each barracks leader once and he did not strike them with such force as to break the skin (R 408). On another occasion in June the accused admitted slapping a prisoner of war for entering the bathroom with his shoes on. He slapped him once. He also admitted ordering another prisoner of war to carry a pan of water for violating the same regulation about entering a bathroom with shoes on. This pan was eight inches square with a four-inch depth. He denied ever making a prisoner of war carry a bucket of water around with his hands extended holding the bucket in his arms. The accused denied striking, slapping, or beating any other prisoner of war. He also denied striking any prisoner of war across the face with a bamboo stick or with his fist or by kicking (R 408). On cross-examination the accused stated that possibly he started to work in the kitchen in the latter part of April and not on the first of May as previously testified. He denied striking any prisoner of war with a bamboo stick with such force as to split the scalp of the prisoner of war, as alleged in Specification 2 (R 410). He further testified that he was a "gunzoku" which is a civilian in the employ of the Army and the prisoners of war were required to salute "gunzokus". On these occasions when prisoners of war failed to salute him he would grab their hands and put them near their foreheads to show the prisoners of war how to salute. He advised the prisoners of war to salute and did not strike them (R 411). When he required the prisoner of war to hold a pan of water for entering the bathroom with his shoes on, he made him hold the pan of water with his arms extended for five minutes (R 411).

Accused Zenkichi Koiwa after being fully warned of his rights was sworn and testified as a sworn witness in his own behalf. He testified that he was thirty-four years of age, married and had two children. He graduated from a commercial school. He was in the Japanese Army and reported to the Hosekura camp on 24 January 1945 as a Lance Corporal. At the camp he was assigned to duty as an interpreter and in charge of labor matters (R 415, 416). The prisoners of war were divided into the following work categories: In February class A; in March A, B; in April and May A, B, C; in June and July A, B, C, D; in August A, B, C, D, E, F. A-class prisoners of war worked in the mining section as drillers, timbering laborers and transportation laborers. B-class loaded cars. C-class repaired all cars and mining tools. D-class prisoners of war were defined as rest from hard work which meant they dug ditches, the main purpose being to keep them on the outside where they would get plenty of sunshine. E-class were patients who were given light duty and F-class prisoners of war were engaged in farming (R 417). The accused further testified that the work category of each prisoner of war was determined by the camp medical department which was composed of Kobayashi, Col Gaskill and Capt Wilson. After the medical department would designate the work category of the prisoners of war it was then the job of the accused to separate

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A-class prisoners of war into three sub-classes: A-1, A-2, A-3. At the roll call in the morning accused testified that he never shifted a man from D-class to C-class, or from C to B, or from B to A. Any changes made putting a prisoner of war from a low work class to a high work class were made by Kobayashi, Col Gaskill and Capt Wilson and the prisoners of war were notified of these changes by the prisoner of war duty officer. He never sent any prisoner of war to work who was ill as this was the job of the medical department (R 419). The accused admitted striking British Prisoner of War Lawrence, Specification 1, because Lawrence while in charge of barracks number two was responsible for an illegal disposition in the daily ration. The accused was requested by the senior prisoner of war officer to replace Lawrence by Wandel. When the accused interrogated Lawrence he slapped Lawrence once. A week later Lawrence was replaced by Wandel. This took place about May 1945. The accused did not slap Lawrence hard enough to cause him to lose any teeth, as he slapped him lightly (R 420).

Around June 10, 1945, a large quantity of rice and sorghum was stolen from the food warehouse. The accused called in Major Farris, Lt Wandel, Capt Zimmerman and Maj Dean and not Lt Lawrence as at that time Lt Lawrence was in the isolation ward. This investigation revealed that prisoner of war No. 248 (Catlow) had made a key at the work site with which he gained entrance to the warehouse. When this matter was reported to the camp commandant the camp commandant ordered the accused to call all the prisoner of war officers and carry out responsibility punishment which consisted of slapping. The accused called the six prisoner of war officers and slapped them after which Ishizawa talked to them on their responsibility and the two medical officers, Gaskill and Wilson were sent to the dispensary. The remaining four prisoners of war were then slapped by the camp commander Ishizawa and accused once each (R 420, 421). The accused remembered Padbury, Specification 3, but denied ever slapping, striking, beating, or mistreating Padbury. He also remembered Portis, Specification 4, as the number four group leader, who was an American Navy man but denied ever slapping, beating, or mistreating him. The accused did not recall the names of Herrera, Specification 5, or Gagnon, Specification 6 (R 421). He did not recall Flora, Specification 7, but slightly remembered Middleton as working as a shoemaker but denied ever slapping, beating, or mistreating this prisoner of war who worked as a shoemaker. He also denied ever causing a prisoner of war to stand at attention for long periods of time or cause any prisoner of war to be beaten by other camp personnel. The accused did not recall Brantley, Specification 8, or Choate, Specification 9. He did recall Eatherington, Specification 10, and admitted slapping him once (R 422). While on a work detail Eatherington surreptitiously received twenty cigarettes from a Korean. When all the parties concerned were being investigated at the police station about this incident Eatherington and the Korean started to fight and the accused stopped it, whereupon the accused slapped Eatherington once. The Korean was sent to prison for three years and Eatherington received one week confinement of which he served only five days. This incident was considered very important due to the Espionage Act (R 422). The accused remembered Medwick, Specification 11, but denied ever slapping him. He also remembered Middleton, Specification 12, and denied ever mistreating him. He did not recall the names of Maggard or Hylton, Specification 13. He remembered Crandell, Specification 4, but did not beat or strike him. Around June while Crandell was in the guardhouse Lt Wandel delivered some clothes there which Crandell stole. Upon discovering this theft Lt Wandel and the accused questioned Crandell and during this questioning Lt Wandel gave "an uppercut" to Crandell. The clothes were later recovered. Other than the slappings to which the accused has admitted he did not slap, beat, or mistreat any other prisoner of war (R 423). The accused further testified that while at Camp Hosokura he received two and one-half boxes of Red Cross parcels from Sergeant Ota who told him that they were gifts from British officer Capt Dean. He denied

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ever misappropriating or converting personal property of any prisoner of war. (R 424). On cross-examination the accused testified that there was never an occasion when the number of prisoners of war who fell out at the work assembly in the various groups, that he felt it necessary to get additional prisoners of war of these groups (R 428). He never reclassified any of the prisoners of war and put them in a mine group as that was the work of the medical section (R 428). The accused further testified that if Col Gaskill in his affidavit states that he, the accused, was arbitrarily putting prisoners of war in higher work categories the said statement by Col Gaskill is false and that Col Gaskill never complained to him that physically unfit prisoners of war were being sent to work (R 430). The accused denied that there was any such thing as a definite quota of prisoners of war that had to go to work in the mine (R 431). The accused further stated that he visited the mine in the nature of inspection to see that the prisoners of war were observing safety regulations as contained in pamphlets which had been distributed to them (R 435).

Accused Koichi Ota, after being fully advised of his rights, was sworn and testified as a sworn witness in his own behalf. He testified that he was thirty-six years of age, was married and has two children. He was a Sergeant in the Japanese Army and on 24 January 1945 was assigned to the Hosokura Camp as a clerk in the general affairs section. One hundred and forty-two large boxes each containing four small boxes, a total of five hundred and sixty-eight small boxes were received at this camp (R 443). They were Red Cross parcels. In the latter part of March two hundred and sixty-eight of these boxes were issued to the prisoners of war. Between 30 March and 4 April Japanese camp officials received ten of these parcels which was subsequent to that time when the prisoners of war received their parcels. The second distribution of the Red Cross parcels to the prisoners of war was made between 5 April and 10 April at which time two hundred and sixty parcels were distributed, and on 14 May the Japanese received seventeen of these parcels (R 444). Of the parcels remaining ten boxes were sent to Col Gaskill for distribution among the patients. During the middle part of February the camp received twenty-four overcoats twenty-four pairs of shoes and later in the month seven bundles of clothes were received at the camp. This all came from the Tokyo Prisoner of War Main Camp (R 445). Witness was informed by his superior, Ikeda, that these items were in custody as government property. These bundles had Red Cross markings and part of this clothing was issued to the prisoners of war. None of these articles were used by the Japanese. Forty blankets were received at this camp which were not issued to the prisoners of war nor to the Japanese. These were not Red Cross supplies (R 446). When the Red Cross food parcels were opened prior to distribution to the prisoners of war, they were opened in front of the prisoners of war. This was done following one of the regulations in the Tokyo Prisoner of War Main Camp. At the end of the war all the Red Cross items which had not been distributed but were still in the warehouse were turned over to the prisoners of war. The accused further testified that he did not know Padbury, Specification 2. During his entire stay at this camp he never mistreated a prisoner of war but slapped one prisoner of war when he caught him cutting up a mess kit, which was Japanese government property (R 447). The prisoners of war frequently destroyed other items of Japanese government property such as shoes, blankets, pillow cases and pillows (R 448). On cross-examination the accused denied having received fourteen Red Cross boxes from Major Farris as stated by Major Farris in his affidavit to the effect that he left them with Ota for safe keeping; for the use of fourteen prisoner of war patients in the hospital in Sendai (R 449). On recross-examination Ota stated that he gave cigarettes and food to one of the prisoners of war. He also gave some liquor to Capt Zimmerman, the Chaplain, to celebrate an occasion (R 457).

Katsuo Ishizawa after being fully advised of his rights was sworn and testified as a sworn witness in his own behalf. He

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testified that he was thirty-two years of age and single. Between the 4th and 15th of December 1944 he received training as to the treatments of prisoners of war at the Tokyo Prisoner of War Main Camp and on 22 January 1945 he was assigned to Hosokura (R 461). His instructions were (1) to guard prisoners of war in accordance with orders and regulations set forth in the Army; (2) not to allow prisoners of war to have access to radio, newspapers, and magazines; (3) take firm and soldierly manner; (4) prevent escape, fifth column activities and strikes among the prisoners of war; (5) have the prisoners of war salute properly; (6) prevent the prisoners of war to come into contact with Japanese, Koreans, and women (7) prisoner of war formations would be in accordance with Japanese Army regulations and customs. He reported for duty at the Hosokura camp on the evening of 24 January 1945. Ikeda, Kobayashi, Chonan, Ota, Shimizu, Koiwa, and Toda accompanied him. This group comprised his military staff. On 25 January 1945 he had a conference with the representatives of the mine company and discussed with them the points that he had learned from his training at the Tokyo Main Camp (R 462). When he arrived at the camp there was no medical supply there. On the 25th and 26th of January blankets, eating utensils, and other articles arrived at the camp for the prisoners of war, from the Tokyo Main Camp along with some boxes of medical supplies (R 463). When the prisoners of war arrived at this camp on the 28th of January 1945 they seemed rather tired (R 464). The accused recalled prisoner of war Farris, Specification 1 and 4, and testified that he slapped Farris along with Wandel, Zimmerman, and Dean as he held them responsible for the many thefts by the prisoners of war of food from the warehouse. The accused did not order co-accused, Koiwa, to strike these prisoners of war and he never ordered any of his subordinates to strike prisoners of war. He sometimes knowingly permitted his subordinates to strike prisoners of war under various circumstances. On one occasion in August 1945, Corporal Akai discovered stones instead of rice in the lunch box of prisoner of war Byrd, Specification 2. The accused saw Corporal Akai slap Byrd two or three times (R 465). The accused also slapped Byrd. On another occasion when the accused saw a military guard unnecessarily slapping a prisoner of war the accused stopped him (R 465). The accused did not know the name of Barger, Specification 1, or Brown, Specification 3, but did remember the names of Lawrence, Specification 5; Padbury, Specification 6; and Wilson, Specification 7; but he denied ever slapping, striking, beating, or mistreating them (R 466). He recalled the occasion in March 1945 when he returned to the camp after a party and found, on an inspection of number 3 barracks, many things scattered. With a broom he pushed all these articles off the table. On inspecting the dispensary he found the same condition and also pushed cups and spoons off the table. He found Wilson in the dispensary when he should have been sleeping in number 3 barracks. The accused ordered Wilson to return to his barracks but did not slap him. When he used the broom to sweep articles off the table he did not strike any prisoners of war. The accused also denied ever having struck Wilson. On an occasion in April when he inspected barracks all the prisoners of war stood at attention and saluted him except Herrera, Specification 8. The accused ordered him to come down from his bunk and slapped him once as it was a regulation that all prisoners of war would salute Japanese camp personnel (R 467). He did not recall Wyatt, Specification 9, and Williams, Specification 10. On one of his periodic inspections of the barracks the accused admitted slapping one of the prisoners of war for assuming an "improper attitude". He did not recall the names of Chandler, Specification 12; or Davidson, Specification 13; or Donovan, Specification 14; or Hange, Specification 15 and 16. He recalled Hettager, Specification 17, as a prisoner of war who was moving while required to stand at attention but the accused did not strike him; he cautioned him (R 468). He remembered the name of Zimmerman, Specification 18 and 19, as not having his eyes on him while saluting which he was required to do but the accused did not strike him. He did not recall Shumaker, Specification 20, or Flora, Specification 21. The accused denied ever causing prisoners of war to strike

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each other or slap each other at any time. He remembered the name of Breeze, Specification 27, but other than the slappings already admitted he never slapped any other prisoner of war nor strike with his fist nor strike a prisoner of war with a bamboo stick. He used the bamboo stick to point out errors or corrections to the prisoners of war by touching them on the hands with this stick, and he never kicked any prisoner of war (R 469). On one occasion upon it being reported to him that Farris, who was an amoebic dysentery patient, had entered another barracks he pushed Farris' foot with his right foot (R 469). The accused further testified that he never saw Kobayashi strike a prisoner of war nor did a prisoner of war ever report to him that he had been struck by Kobayashi, nor did Kobayashi ever report to the accused that he had struck a prisoner of war or prisoners of war. Col Gaskill never reported to the accused that Kobayashi had ever struck a prisoner of war. He thought that Kobayashi was an ordinary average doctor (R 470). During the time that Kobayashi was stationed at this camp it was never reported to him (Ishizawa) by prisoners of war that Kobayashi had failed to furnish medical supplies or medical treatment nor did Col Gaskill ever report to the accused that Kobayashi had refused to supply medical treatment or supplies to the prisoners of war. He thought that Col Gaskill and Maj Wilson were fine characters with a fine medical background and ability and he was very satisfied to have them treat the prisoners of war. They were given free access to the medicines of this camp to treat the prisoners of war. Col Gaskill or Maj Wilson never reported to him that they thought Kobayashi was negligent in carrying out his duties and he as a layman could not determine whether Kobayashi was negligent or not as he did not interfere with the medical matters of this camp as he did not have any medical knowledge. He never personally saw Kobayashi send sick men to work and doctors Gaskill and Wilson never did report to him that sick men had been sent to work by Kobayashi (R 470). The above was testified to in reference to Specifications 29a and 29j charging the accused with command responsibility for the actions of Kobayashi as a member of his staff (R 470). The accused knows Yasushi Takasago, the co-accused but never saw him strike any prisoner of war, nor did any prisoner of war ever report to him that he had been struck by Takasago nor did doctors Gaskill or Wilson ever report to him that prisoners of war had suffered wounds as a result of being beaten by Takasago, nor did Takasago himself ever report to the accused that he had struck any prisoner of war. The accused was not made aware in any manner or through any means that Takasago had struck prisoners of war (R 471). The above was given in answer to Specification 29k to 29z inclusive, wherein the accused is charged with command responsibility for the actions of Takasago, one of his subordinates. The accused did not see Ota strike any prisoner of war, nor was it ever reported to him by Ota or others that Ota had struck prisoners of war (R 471). In answer to Specifications 29cc to 29qq inclusive, relating to the command responsibility of accused for the actions of Koiwa, Ishizawa testified that he never saw Koiwa strike any prisoner of war nor did a prisoner of war or Koiwa ever report to him that Koiwa had struck a prisoner of war (R 471). The prisoners of war were free to make complaints if they desired by going first to the interpreter who would in turn report the matter to the accused (R 471). The accused also testified that neither Farris, Dean, Gaskill nor Wilson ever reported to him that prisoners of war had been struck by any of his camp staff. Takayama (Specification 29rr) was a military guard at this camp but the accused never saw Takayama strike a prisoner of war. In Specifications 29as to 29bbbb, which cover the acts of mine company employees, the accused stated that as camp commander he did not have the authority to punish a mine company employee for mistreatment of a prisoner of war nor was it ever reported to him that mine company employees had struck prisoners of war. The accused visited the work sites at the mine two or three times a week and on these inspection trips he never saw a mine company employee strike a prisoner of war (R 472). No prisoner of war ever complained to him that he had been struck or mistreated by a mine company employee and Doctors Gaskill or Wilson never stated to him that they

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had treated a prisoner of war because of injuries received by mistreatment at the mine. No camp employee ever told him that a prisoner of war had been mistreated at the mine and the accused was never made aware of the fact that a prisoner of war had been mistreated at the mine (R 473). The accused further testified that outside of the slappings he has admitted there were no other slappings or beatings of any prisoner of war by himself. He had two prisoners of war confined to the guardhouse. One was Byrd, Specification 22. On a lunch box inspection stones were found in Byrd's lunch box. The accused ordered him confined for five days and this order was given in front of Capt. Dean, the prisoner of war duty officer of the day (R 473). Prisoner of War Catlow was also confined to the guardhouse for having illegally received twenty cigarettes from a Korean. While a prisoner of war was confined in the guardhouse he received the same food as that given to prisoners of war. According to Army regulations and depending upon the degree of the offense, in an ordinary case an offender could receive half rice ration with salt and water. The accused stated that while he was camp commander he never ordered anyone to strike a prisoner of war and he never ordered any prisoner of war to strike any other prisoner of war nor did he order any specific prisoner of war to be struck by anyone nor did he order any prisoners of war in jail to be struck by anyone. He informed his subordinates to treat the prisoners of war according to army regulations which do not call for slapping; but if slapping were done that was one of the Japanese Army customs and to slap was not in the form of punishment but was the only means that could be used. If could not be helped (R 474). It was his understanding that a company guard could use the stick whenever the guard deemed it necessary without receiving any order from higher authority as this use of the stick was defined in the regulations covering company guards. On this understanding he thus did not instruct either camp personnel or company guards that they were not to slap prisoners of war as this was a Japanese custom and not forbidden specifically by the main camp commander (R 474). He, as camp commander, always saw to it that the prisoners of war received the amount of staple foods as described in the various regulations pertaining to feeding of prisoners of war (R 475). He was not able to always procure enough food for side dishes as he planned (R 475). He planned to receive food for side dishes from the Sendai Division Intendence Unit, by sending camp employees to purchase in the open market and to receive food from the company. Even tho he tried these three means these plans could not be fulfilled. He could not procure any milk or eggs. He tried to have food raised in a camp garden but the war ended before it could be thoroughly cultivated. The Japanese Army furnished the prisoners of war with summer clothing and the mine company furnished working clothing for the prisoners of war. The prisoners of war also received the amount of fuel each day for each stove in the barracks as provided by regulations which was the same amount as that given to the local infantry units or other units (R 476). The prisoner of war camp received its medicines from the Sendai First Army Hospital, from the Tokyo and Sendai Main Camp, and from the civilian pharmacies. When the accused arrived at this camp there were no medicines and the accused did his best to get the necessary medicines for this camp (R 470). No prisoner of war was ever denied the right to see the doctors at this camp and the accused never ordered Doctors Kobayashi, Gaskill, or Wilson not to treat prisoners of war. No prisoner of war was ever denied the use of the camp hospital (R 479). The accused examined the working conditions of the prisoners of war at the mine and was assured by the company officials that they were healthy and safe (R 479). Medical Officers Gaskill, Wilson and Kobayashi determined whether or nor a prisoner of war was able to go to work (R 480). The Red Cross parcels which the accused and other Japanese personnel in the camp received were given to them by the prisoners of war as gifts (R 480). In the latter part of March ten prisoners of war were hospitalized in Shinagawa and the accused took the Red Cross parcels that were meant for them (R 481). No Red Cross clothing was issued to the prisoners as it was thought best to economize as it was expected more prisoners

of war would be received at this camp (R 482). The accused was confined in Sugamo Prison on 18 November 1945 (R 482). Upon being cross-examined the accused stated that the instructions he received prior to coming to this camp said nothing about whether it was permissible to inflict corporal punishment on prisoners of war when they violated regulations or otherwise did anything improper. He was never informed about the Geneva Convention applicable to prisoners of war although he had a copy of the Geneva Convention at the camp (R 482). It was also the accused's understanding that he could not give any orders to the company guards (R 483).

The accused also testified that if on inspecting the work sites at the mine he found that conditions had become unsafe he could have stopped the prisoners of war from working there (R 485). When the company guards started their employment as such, in the Army sense he deemed they were under his command (R 486). The military guards and the company guards were in charge of the prisoners of war to and from work. He instructed the company guards that they could not strike or slap the prisoners of war but they could only do this for self-defense or in case of emergency and to follow the Japanese custom (R 486). If he found a company guard unsatisfactory the accused could have gone to the company and after consulting with the company official he could discharge him. One of the duties of the military guards was to see to it that the prisoners of war were not mistreated by outside Japanese and also to prevent the company guards from mistreating the prisoners of war (R 487). The accused ordered Koiwa to allocate the prisoners of war to different work sites (R 487). The accused was not required to send a certain number of prisoners of war to work each day (R 488), and as camp commander it was his privilege to excuse from work any prisoner of war reported by the medical department as being physically unfit to perform labor. The accused, however, did admit that the mine company representatives from time to time urged him to send as many prisoners of war as possible to work. He never told Kobayashi that not enough prisoners of war were going to work (R 489). He heard about Prisoner of War Allen (Specification 29b) from Kobayashi and he told Kobayashi to arrange with the company hospital about hospitalizing Allen but was informed that the mine hospital could not accommodate Allen (R 490). The accused heard about Cox (Specification 29a) and made arrangements to have him admitted to the mine hospital for the purpose of amputating his foot (R 491). The accused admitted appointing Takasago to work in the camp kitchen but did not know of any instance of Takasago mistreating prisoners of war (R 492), and denied the statement in Col Gaskill's affidavit which states that Capt Dean had complained to him, the accused, about Takasago's mistreatment of prisoners of war (R 492). He relieved Takasago from this kitchen assignment in the latter part of July, at the request of Takasago, due to his bad health (R 493). The accused admitted having Eatherington confined to the guardhouse for having received some cigarettes from a Korean (R 493). He recalled Maggard being struck by one of the guards because Maggard had stolen a pumpkin. He stopped the guard from further beating Maggard (R 494), and he never saw Maggard standing at attention near the guardhouse with a pumpkin around his head or near his neck (R 494). The accused denied ever slapping Farris or kicking him in the shins when Farris requested him to issue Red Cross clothing in the camp (R 495). He denied ever striking Padbury (Specification 6) or that Padbury had suffered a broken nose as the result of a beating by him or anyone else (R 495). The accused further testified that he slapped prisoners of war only two or three times at roll calls (R 496). These slappings were never with sufficient force to knock a prisoner of war down (R 496). Before supper when he checked the hands of the prisoners of war and found some with unclean hands he would point this out to the prisoners of war with his small bamboo stick and tell them to clean their hands. He did not strike the prisoners of war and this inspection was necessary to prevent amoebic dysentery (R 496). The accused denied ever striking Chandler, Specification 12; or Donovan, Specification 14; or Hange, Specification 16; or Zimmerman, Specification 17.

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tion 19 (R 497). He denied also ever striking Flora, Specification 21, when he overheard them counting off in English instead of Japanese (R 497). He recalled Sergeant Burke who testified, and recalled pushing with the heel of his hand when Burke did not salute him. This caused Burke to stagger but he did not fall (R 500). The accused further testified that to his knowledge the prisoners of war received their full rations at all times and does not recall military guards stealing them from the prisoners of war (R 502). On re-direct examination the accused testified that the company guards were paid by the mining company and were hired by the mining company (R 505). He could not punish or dismiss them but had to request the company to do so (R 505). He never received any reports of any instance regarding mistreatment from either the company guards or the military guards (R 505). The accused then testified on behalf of his co-accused and stated that they were all good men. He further testified that he did his best to secure food, fuel, and so forth for the prisoners of war (R 509). He often loaned his violin to the prisoners of war so that they could have a concert (R 509).

4. Opinion:

The Military Commission convened to try the seven accused was constituted by proper authority and had jurisdiction over the accused and of the offenses charged. The evidence indicates that the accused were sane at the time of the commission of the alleged acts and at the time of trial. They were ably defended by competent defense counsel. They testified as sworn witnesses in their own behalf, produced witnesses and various exhibits in their behalf.

Koichi Ota was sentenced to one year confinement at hard labor. He had been in confinement since 16 December 1945. Following the policy of remitting, from a sentence, the time that an accused has spent in confinement awaiting trial, Ota was released on parole on or about 22 April 1948. Defense counsel filed Motions for Disapproval of Findings and Modification of Sentence on behalf of the remaining six accused. These Motions have been considered in the light of the whole record of trial. Numerous letters and petitions were filed on behalf of Ishizawa and Takasago. These also have been considered in the light of the whole record.

About three hundred American and British prisoners of war were confined at Prisoner of War Camp, Sendai 3-B, Hosokura, Japan, from about 28 January 1945 to the end of the war. The accused, Ishizawa, then a lieutenant in the Japanese Army was the Camp Commandant. Fellow accused, Ota and Koiwa, were also in the Japanese Army attached to this camp as military guards. Takasago, Sasaki, Sato, and Tanifuji were civilians employed by the Mitsubishi Mining Company as guards. The prisoners of war worked at the lead and zinc mines of the above company.

The evidence reveals that the prisoners of war at this camp were subject to constant beatings by slapping, kicking and striking with bamboo clubs. The accused admitted some of the slappings but contend they were corrective measures and such slappings were not hard enough to hurt anyone. The evidence, however, clearly indicates that the beatings were severe and in many instances permanent scars resulted. These beatings took place at the camp, at the mine, where the prisoners of war worked, and to and from the mine. Ishizawa is charged with command responsibility for the actions of his subordinates. Defense, however, contends that Ishizawa is not responsible for any beatings administered to the prisoners of war outside of the camp and not brought to his attention. The question of command responsibility has been resolved many times and it is not considered pertinent to discuss it again at this time. Suffice to say that the prisoners of war were in his care and custody and it was his duty and responsibility to see to it that all conventions pertaining to prisoners of war were

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observed. The evidence also indicates that he was fully aware of this mistreatment of the prisoners of war at divers times and places but did nothing to correct it.

It is considered that the Commission imposed equitable sentences on all accused.

5. Recommendations:

Following the fixed policy of this headquarters, it is recommended that all except three months of the time accused have spent in confinement awaiting trial be remitted from their sentences.

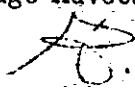
6. Action:

Forms of Actions to carry this recommendation into effect are attached.

JOHN J. GENTILELLA
Reviewer
Judge Advocate Section

I concur in general. The sentences are considered lenient by comparison with those of other commissions under similar facts.

ALLAN R. BROWNE
Lt Col, JAGC
Army Judge Advocate



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